

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 2, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3/10/20

The Board of Commissioners approved payment of County claims in the amount of \$20,848.39 for accounts payable.

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Michael S. Brown (Sean Brown).

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AGENDA ITEMS

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, Captain Daren Ward, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Dan Blocksom left at 9:12 a.m., Facilities Director Paul Navarro left at 9:26 a.m., Parks Director Nicki Schwend left at 9:08 a.m., Parks Planner Laura Barbour left at 9:08 a.m., EOM Christine Wendelsdorf left at 9:13 a.m., Chief Juvenile Probation Officer Elda Catalano, IPT reporter Rachel Spacek and Deputy Clerk Jenen Ross. The action items were considered as follows:

Take public comment regarding a proposed participation fee and consider signing a resolution to set a participation fee for the Canoe Science Camp operated by the Canyon County Parks Department: Director Schwend gave a background on the camp stating last year was the first year and no fee was charged but if often left no-shows without time to fill the spots with kids from the waiting list. This year they would like to charge a nominal fee to hopefully curb the issue. Additionally, the camp does take a fair amount of Ms. Barbour's time. No one appeared today nor were any public comments received. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to close public comment. Mr. Blocksom said the fee will be administered by Nampa Parks and Rec with the City of Nampa but the contract is still being worked thru and will come before the Board at a later time. Commissioner Van Beek made a motion to sign the

resolution to set a participation fee for the Canoe Science Camp operated by the Canyon County Parks Department (see resolution no. 20-019).

Consider signing communications use lease renewal for French John Hill-North with Canyon County Sheriff's Office and Bureau of Land Management: Chief Dashiell said this is the renewal for a radio tower site in Owyhee County on a zero dollar lease that allows Canyon County to use the property. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the communication use lease renewal for French John Hill-North with Canyon County Sheriff's Office and Bureau of Land Management (see agreement no. 20-032).

Consider signing application for amendment for Pod 6 SUP: Mr. Laugheed gave a brief overview stating this is in consequence of conversations between Director Navarro and Captain Ward with city and P&Z officials over the past few weeks to amend the guiding special use permit to remove some of the conditions that may be erroneous. It is Mr. Laugheed's understanding that it was best to amend the SUP and ask for a special meeting. Director Navarro said he heard from Jerome Mapp with the City of Caldwell and this amendment will put the county on the P&Z calendar for June 9th unless a special use permit/meeting is granted. Sheriff Donahue feels this is a good move and is in support of it. He said that the building is ready to occupy although there is still some training to be done. A neighborhood meeting will be held on March 23rd. At the request of Commissioner Van Beek, Sheriff Donahue spoke about the reason the amendment is being requested. He explained it comes down to a disagreement/confusion about the exterior fence and slats. There are slats in the fence that block the view into the rec yard, but his understanding is that Mr. Mapp would like slats along the rest of fencing. Sheriff Donahue does not want these additional slats as he feels it's a security matter. His deputies need to be able to see from the roadway if there happens to an inmate between the building and the fence. In comparison to the juvenile detention center and the tent facility the only slats are on the rec yard. Additionally, where 12th and Chicago come together, it's called the visual triangle, and cars need to be able to see which would be hindered by slats in the fence. Upon the motion of Commissioner White and second by Commissioner Van Beek the Board voted unanimously to sign the application for amendment for Pod 6 SUP. A copy of the application and letter are on file with this day's minutes.

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:27 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter, records exempt from public disclosure and attorney-client communication. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried

unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Chief Juvenile Probation Officer Elda Catalano and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:41 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO APPOINT SEAN BROWN AS DIRECTOR OF JUVENILE DETENTION CENTER

The Board met today at 9:42 a.m. to appoint Sean Brown as the Director of the Juvenile Detention Center. Present were: Commissioners Pam White and Leslie Van Beek, Assistant Director of Juvenile Detention Sean Brown, HR Director Sue Baumgart, Chief Juvenile Probation Officer Elda Catalano, TCA Doug Tyler, Former Director Steve Jett, Juvenile Detention Field Training Coordinator Shawn Anderson, Kim Duegan with AAFV, Amber and Debbie Brown (wife and mother of Sean Brown) and Deputy Clerk Jenen Ross. Commissioner White read a brief statement from the offer letter to Mr. Brown and allowed him a moment to read and sign the letter. Commissioner Van Beek then made a motion to appoint Sean Brown as the Director of Juvenile Detention. The motion was seconded by Commissioner White and carried unanimously. Previous Director Jett offered his comments on the appointment and Mr. Brown spoke of his goals for the department. The meeting concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 3, 2020

PRESENT: Commissioner Pam White, Chair
 Commissioner Tom Dale, Vice Chairman
 Commissioner Leslie Van Beek
 Deputy Clerk Monica Reeves / Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Sonda Boyum and Kathleen Frost.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Hart Intercivic in the amount of \$48,000.00 for the elections department

MEETING WITH THE DIRECTOR OF FACILITIES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:31 a.m. with the Director of Facilities to discuss general issues, set policy and give direction. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Controller Zach Wagoner, Facilities Director Paul Navarro, Assistant Facilities Director Rick Britton and Deputy Clerk Jenen Ross. Mr. Wagoner has requested a remodel to add a workspace in the Recorders' office. Mr. Navarro believes he has a hole in his schedule and the project can be started next Monday with Board approval. Mr. Wagoner provided an explanation of the request indicating the increased activity. Although they have an empty workspace it is not a conducive workspace and he would like to change the layout in order to better serve customers. Director Navarro reviewed what would need to be done and noted that a lot of the materials can be repurposed. The work would be done March 9th – 20th and the Recorders' office would be able to continue operations. In response to a question from Commissioner Van Beek, Controller Wagoner said that no fulltime personnel were added to the Recording office in FY2020. Currently there is an open Administrative Specialist position which they may repurpose for more help in the Recording office. Controller Wagoner answered questions from Commissioner Van Beek about costs and revenues vs. projected revenues. The Board consensus is to move forward with the remodel. Director Navarro and Mr. Britton updated the Board on the following items: the sidewalk remodel on 11th Street is happening now and hope to be finished by Friday. The Lake Lowell building permit has been issued and they hope to have the project started in the next two weeks. There is a meeting regarding the fair building on Friday. The design documents are about 50% complete but there are some FEMA floodplain issues that will need to be addressed. Director Navarro spoke about how he would like to change direction somewhat in the way he conducts annual reviews; he would like to use more of one-on-one coaching. He would like to do twice a year reviews and asking his supervisors to do quarterly reviews. He plans to spend time in each of his areas working side-by-side in order to start a dialog with employees. The Board request an org chart of the Facilities department and supports the new direction of reviews. The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO DISCUSS ACTION ITEMS

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Mike Porter left at 9:11 a.m., Deputy P.A. Zach Wesley, Deputy P.A. Brad Goodsell left at 9:18 a.m., Facilities Director Paul Navarro left at 9:23 a.m., Assistant Facilities Director Rick Britton left at 9:23 a.m., Fair Director Diana Sinner left at 9:23 a.m., Controller

Zach Wagoner left at 9:23 a.m., Elections Supervisor Haley Hicks left at 9:11 a.m., Elections Technician Kylie Marks left at 9:11 a.m., Landfill Director David Loper left at 9:18 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Meeting to discuss invoice for Verity Build Software from Hart InterCivic: Mr. Porter explained this is part of the on-going project with Hart InterCivic which is the equipment for the creation of ballots. Mr. Wagoner said March will be the first election with Hart and so far they've received good feedback on the equipment. Now that they've had one experience with Hart creating the ballots the elections office feels they are now able to create them in-house. In the old system you'd have to print lots of ballots in anticipation of voters but with the Hart system ballots are printed on demand and over time it will be a cost savings in paper and printing. Additionally, purchasing the software will save money in not having to pay Hart to create the ballots. The \$40K is a one-time cost and then there is an annual contract fee of approximately \$8K. Commissioner Van Beek feels she would need to look more closely at this and needs some additional information. Mr. Wagoner said this expenditure is included in what was budgeted for in elections equipment and in total they are under budget for the whole project. Mr. Porter explained that no motion is necessary since the Board already budgeted for this, it is under \$50K and because it was considered in the sole source the Board can just sign the invoice. Mr. Wagoner also presented a PO for Board consideration.

Consider signing a resolution of the Canyon County Board of Commissioners classifying records of the Canyon County Clerk and authorizing the imaging and/or destruction of certain files/records: Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the resolution (see resolution no. 20-022).

Consider signing resolution authorizing exchange of County property between Solid Waste Enterprise Fund and the County Parks and Recreation Fund: Mr. Wagoner said he has had multiple conversations with Director Schwend about this and it was included as part of the FY2020 budget. Additionally, he met with Ms. Schwend a couple weeks ago to let her know it was time to move forward with this exchange. There was \$50K included in the Parks budget specifically for this exchange. Commissioner Van Beek said she spoke with Ms. Schwend this morning and confirmed that she has spoken with Controller Wagoner, however she was not aware there was an action item for consideration this morning. Commissioner Van Beek objects to this moving forward without Director Schwend being present. Commissioner Van Beek asked if part of the enterprise fund will be given to Parks for clean-up of this property should it ever be necessary as Parks does not have the budget available for such a thing if the gun range were to close. Commissioner White said its Canyon County property and it's the county's responsibility no matter which department it's located under. Commissioner Dale added that enterprise funds have to be used for enterprise activities so it would be a stretch to use them for clean-up of the gun range. Mr. Goodsell said it's really just an accounting transaction that needs to move forward because Director Loper is looking to get a new CUP to expand the landfill and the gun range is not part of this.

Commissioner White made a motion to sign the resolution authorizing the exchange of county property between the Solid Waste Enterprise fund and the County Parks and Recreation fund. The motion was seconded by Commissioner Dale and carried unanimously (see resolution no. 20-023).

Consider signing Canyon County solicitation of interest for an owner's representative for the Fair Expo Building Project: Director Navarro said this is a project that will probably require a “boots on the ground” type person to help manage as he, nor does he believe, Director Sinner will have the time to manage this project. The owner’s representative will be paid with URA funds and they have reached out to a couple of firms in the area who gave approximate bids of about \$100K. Director Navarro gave a review of the tasks an owner’s rep will be responsible for coordinating. Zach Wesley said a notice will run in the Press Tribune as well as be posted on the website and sent out others identified by Director Navarro. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the Canyon County solicitation of interest for an owner’s representative for the Fair Expo Building Project.

Consider signing resolutions for new alcohol licenses to Pantera Market #4 and Shi Sushi Spirits: Commissioner Dale made a motion to sign the resolutions. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution nos. 20-020 and 20-021.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

A request was made to go into Executive Session as follows:

Commissioner White made a motion to go into Executive Session at 9:28 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding record exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:41 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners’ Office.

File in minutes reports of the Canyon County Treasurer for January 2020

PUBLIC HEARING – REQUEST BY JONATHAN LEE FOR A COMPREHENSIVE PLAN AMENDMENT AND REZONE, CASE NO. OR2019-0011 & RZ2019-0036

The Board met today at 10:04 a.m. to conduct a public hearing in the matter of a request by Jonathan Lee for a comprehensive plan amendment and rezone, Case Nos. OR2019-0011 and RZ2019-0036. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, DSD Planner Dan Lister, Keri Smith-Sigman, Ben Hitchcock, Jonathan Lee, and Deputy Clerk Monica Reeves. Dan Lister gave the oral staff report. The request is for a comprehensive plan map amendment from Agricultural to Residential, and a rezone from Agricultural to Rural Residential. The applicant is proposing to split the property into three parcels between the original owner and two other owners to create lots that are greater than 5 acres. The parcel was created in 1990 through a land division and was originally 20 acres that were adjusted off. The property is located within the Nampa impact area and there is an agreement that says after the first division you have to plat, unless you meet certain exemptions, and in this case if they create lots that are greater than five acres they are exempt from that subdivision requirement. The area will remain agricultural; however, the City of Nampa wants the area to be medium-density residential. Soils are considered to be best to moderately suited. Due to configuration and the assumption it will medium-density residential in the future, the farm ground will be inconsistent with the area. When city services get closer there will be more houses and it will be a residential growth area. The property is within a nitrate priority area; there are issues but it is below DEQ requirements, however, the applicant is encouraged to look into a treatment system. According to Mr. Lister, most agencies did not oppose the request. The highway district wanted a shared access which has been proposed; city services are one-quarter mile away and would require the crossing of the canal which is not feasible at this time. The Idaho Department of Water Resources opposes this request and requires a study be done because it is an "A" flood zone. The rezone does not trigger the base flood elevation study, the end goal is not to create a subdivision; the study will come at the time of development. The P&Z Commission and staff have both recommended approval of the comprehensive plan map amendment and rezone. Following his report, Mr. Lister responded to questions from Commissioner Van Beek. Keri Smith-Sigman testified on behalf of the applicant. She represents the Dancers, the Lees, and the Hitchcocks. The main source of contention with the case is the flood study. The property is in a Zone A which would comply with Section 3 of Section 7-10(a)-11 from the adopted ordinance. For a Zone A when we do not have a base flood elevation the only time studies are required is with subdivision proposals. The applicants fully intend to move forward with the three 5-acre parcels, they will not be applying for a subdivision within the next year or two. A base flood elevation study is not required; however, the flood plain administrator can require one be given at the time of development or they can require the structure be elevated two feet above the highest adjacent grade of the structure. The cost of a study ranges from \$15,000 to \$25,000 and in this case, it will be the high end because the area is an unmapped Zone A for miles and they would have to tie back in to the nearest portion for where development is available. By having 5-acre parcels there will be a lot of space for water to be captured on site and not cause additional flooding concerns downstream. There is nowhere that would require a flood study at the time of building permit, but they would have to apply for a development permit and they could be required to have that base flood elevation determined for the structure but not the study for the entire property. This request

does not meet the definition of a subdivision. A base flood elevation study is different from establishing a base flood elevation. The applicant will have to comply with one of those but they don't have to do a study. Mr. Lister said the code states the proposal has to have base flood elevation data, and the County's flood plain administrator has attributed that to a study requirement, so at the time of building permit they will have to get a flood plain development permit and work with the flood plain administrator and if she decides a study is required that is within her purview, if not, perhaps it could be a letter of map amendment showing the base flood elevation for that structure, or developing it over two feet above the highest adjacent grade, however, our current interpretation is they have to do study. Commissioner Van Beek and Commissioner Dale asked questions of Ms. Smith-Sigman. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to approve the comprehensive plan map amendment and rezone. Upon the motion of Commissioner Van Beek and the second by Commissioner Dale, the Board voted unanimously to sign the resolution, and the findings of fact, conclusions of law, and order, as well as the ordinance (See Resolution No. 20-024 and Ordinance No. 20-006). The hearing concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPLICATION FOR CANCELLATION OF PROPERTY TAXES FOR GARY AND SANDRA HAZEN

The Board met today at 1:32 p.m. to consider the application for cancellation of property taxes pursuant to Idaho Code, Section 63-711 for Gary and Sandra Hazen. Present were: Commissioners Pam White and Leslie Van Beek, Treasurer Tracie Lloyd, Deputy P.A. Brad Goodsell, Gary and Sandra Hazen, and Deputy Clerk Monica Reeves. Treasurer Lloyd said the Hazens experienced a casualty loss (a house fire in July of 2019) and it occurred after the date of assessment appeal. The Assessor has made an adjustment to their 2020 assessed value. The application is for the 2019 taxes and the value associated with that timeframe is \$168,500 with the total taxes being \$2,679.12. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to grant the cancellation amount of \$2,679.12 for the time period of July through December 2019. Per the Hazens' request the amount will be credited toward their tax bill. The meeting concluded at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 4, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – Legislative committee
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held today.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 5, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Bailey Allen.

APPROVED CLAIMS ORDER NO. 3/4/20

The Board of Commissioners approved payment of County claims in the amount of \$650.00 for accounts payable.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:47 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Tom Dale, Director of Indigent Services Yvonne Baker, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-0458, 2020-0427, 2020-0425, 2020-0423, 2020-0392, 2020-0456, 2020-0468, 2020-0433 and 2020-0426. Commissioner Dale made a motion to issue initial denials with written decisions within 30 days on the cases as read into the record. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Dale and second by Commissioner White the Board voted unanimously to issue a written approval within 30 days on case no. 2020-430.

The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO OPEN BIDS FOR SPRING 2020 JUVENILE DETENTION CENTER AND GYMNASIUM RE-ROOFING PROJECT

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to open bids for the Spring 2020 Juvenile Detention Center and Gymnasium Re-roofing Project. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro left at 9:07 a.m., Assistant Director of Facilities Rick Britton left at 9:07 a.m., Representatives from Weathertight Roofing and JB's Roofing left at 9:07 a.m. and Deputy Clerk Jenen Ross.

Open bids for spring 2020 Juvenile Detention Center and Gymnasium Re-Roofing Project: Mr. Laugheed noted for the record that any objections were due to the Board by March 2, 2020 and no objections were received. Bids were due today by 8:30 a.m. and the following were received:

Weathertight Roofing
Received March 4, 2020 at 8:13 a.m.
Bid amount: \$78,312

JB's Roofing
Received March 4, 2020 at 3:18 p.m.
Bid amount: \$74,236

Upson Elite
Received March 5, 2020 at 7:33 a.m.
Bid amount: \$78,660

Director Navarro believes all three bids should be comparable as there was a mandatory walk thru. He will evaluate each bid and then come to the Board with his suggestion. The budgeted amount for this project is \$80K.

Commissioner Dale gave a review of the legislative committee meeting he recently attended.

The meeting concluded at 9:25 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – APPEAL BY TRENT WHITE FOR A VARIANCE, CASE NO. ZV2019-0001

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of an appeal by Trent White for a variance of the 20-foot rear setback for a pool that has been constructed. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Jennifer Almeida, Attorney Todd Lakey, Trent White, Tonya White, Attorney Kristoffer Sperry, Gordon Hansen, Diane Hansen, and Deputy Clerk Monica Reeves. The applicant is requesting approval of a variance of the 20-foot rear setback to accommodate the pool that's been conducted on the property line and

was constructed without any building permits. The applicant is requesting the variance to allow the pool to stay in its current location on the property. If approved the applicant will have to obtain a building permit and a mechanical permit, if required. Jennifer Almeida gave a status update. The initial hearing was held on November 12, 2019 and was continued to December 12, 2019 to allow time for a survey to be completed in an effort to identify the north property line and to find a workable solution between the Whites and the Hansens. The hearing was subsequently continued to January 13, 2020, January 14, 2020, and February 20, 2020. On February 20, 2020 the Board continued the hearing to a date when all three Commissioners could be present, and a new date of March 5, 2020 was set. Since that time a record of survey has been completed. The applicant's representative has indicated the pool cover is 50.25 inches south of the property line, setbacks are measured from the property line to the structure and a result of the recent survey, staff has amended the proposed findings of fact, conclusions of law and order to reflect the 20-foot setback be reduced to four feet now that the property boundary has been surveyed. Todd Lakey testified on behalf of his clients, Trent and Tonya White, who have submitted evidence as to why the pool needed to be in this location based on specifics of the site. The Hansens home is located 225 yards from property line and it's surrounded by mature landscape. There is no impact to the six acres of alfalfa between the pool and the Hansens home. Before the survey was complete, Mr. Hansen had installed fence posts and the parties agreed to cut off three inches, but the Hansens later changed their minds. According to Mr. Lakey, the P&Z Commission wanted to approve the request but they couldn't come to agreement on potential conditions. A survey was done which has confirmed that everything is within the Whites property. The northwest fence post is 14 inches inside the Whites property and the northeast fence post is 2-3 inches inside the Whites property. He said they tried to reach an agreement with the Hansens, but in the end they were not able to do so. Mr. Lakey said they can only do so much without impacting the integrity of the pool. They talked about cutting a foot off the cement walkway around the pool. They could not reach an agreement on the portable shed near the pool which is surrounded by concrete and contains the filtration system for the pool. They can keep the piping at least two feet away from property line, but piping is not any different than sprinkler pipe that runs along property boundaries. If they are required to remove the shed it would necessitate an elbow in the piping which would make it ineffective. Neither the shed, piping, or cement walkway are subject to setbacks. The Whites are asking for a three-foot setback from the edge of the pool and the cover to make sure they are compliant, and they are willing to cut off a foot of the walkway and rebuild the fence. Following his testimony, Mr. Lakey responded to questions from Commissioners Van Beek and Dale. Trent White testified that the pool and the pool cover are within his property boundary, and he acknowledged that he wrongfully did not obtain a building permit. He stated he intends to fence the property on boundary. Kristoffer Sperry, who represents the Hansens, testified that the Whites carry the burden of proof to show an undue hardship exists because of the characteristics of the land, and that a variance is not in conflict with public interest. While they do cite general reasons (trees, landscaping and the septic) they failed to show whether it is undue hardship. There is no evidence of an actual hardship. It is a recreational use and it wasn't necessary. Allowing the variance legitimizes the construction of structures that are in clear violation of county ordinances and therefore in conflict with the public interest. The survey does not list all edges of the pool it says the southeast corner appears behind the line but it does not say whether the northwest corner

is on the property. The only thing it shows is that the pool is within the required variance. The concrete walkway is part of the pool and without it the pool would not be structurally sound. The shed is no longer portable, it's a structure. The base of the shed is in concrete and that's why it's no longer portable and it should comply with the setback. Mr. Sperry said the Whites have not carried their burden of proof or shown any undue hardship. They want to keep their pool in direct conflict with ordinances; there are policy reasons for setbacks and they are necessary. Commissioner Van Beek asked if there has been a willingness to sell a portion of the land. Mr. Sperry said the selling or transferring property was not addressed. Commissioner Van Beek had additional questions of Mr. Sperry regarding the Worley case law that involved a variance. Gordon Hansen testified that the P&Z Commission's action was not proper in that it had to come before the Board of Commission. He spoke of how he believes Trent White has encroached on his property and he referred to disputes the two of them have had in regards to property maintenance. During rebuttal, Mr. Lakey referred to a recent case law involving a variance request where the Supreme Court said those opposed have to show how the variance is harming them. The Whites have demonstrated there has been no substantial injury to the Hansens and they have demonstrated why the pool needs to be in this location due to characteristics of the site. The cement pad and walkway do not require a building permit. The edge of the pool is six feet from property line, and the Hansens were involved and talking about it and they didn't have any problem with the edge of the pool. They raised concerns later about the property line and where the cement walkway would go. The portable shed is still portable, it's simply surrounded by concrete and moving it would damage the integrity of the pool. If the Board is inclined to require them to cut off a foot of the walkway they will although they don't see much benefit in that. They are seeking approval of the variance of three feet from the edge of the pool and that the portable shed not be included in that. Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale appreciates the survey was done to verify property lines and he said it's unfortunate there has not been an amicable agreement. Good information was presented today that was not available at previous hearings. He appreciates willingness to cut off a foot of the pool, but he sees no benefit to that. The shed does not need to be moved, it's 96 square feet and is not within the 200 square foot requirement to have a building permit. There are no setbacks for sidewalks, they can be right on the property line. A building permit should have been pulled for the pool but there are no separate requirements in the code addressing swimming pools and that's something we should define in the future. A pool is different than an above-ground structure and he does not see where the pool infringes on the Hansens use of their property. It is not in conflict with public interest nor has there been a substantial injury to the Hansens. He is in favor of the appeal for a variance. Commissioner Van Beek said she makes decisions based on policy, not on emotion. The injury comes down to which side of the fence you're on. A true hardship has to do with the layout of the ground and the pool could have been turned east to west without impacting the sewage system so it eliminates any need for a variance. It doesn't meet the definition of a hardship. After a review of the relevant goals and policies and case law she said the evidence falls in favor of the Hansens and she does not support granting a variance to the Whites. Commissioner White said there has been a recent case law and we have testimony that nothing encroached on the Hansen property. The County does not have separate setbacks for pools, and if the property line setbacks cannot be met a variance has to be met first. The Whites did not seek

permission, but everything is on their property. She believes the injury has come in the feelings and emotions between the two parties. The Whites completed a survey and have agreed to the four-foot setback. She is having a problem seeing where the Hansens were damaged in their land ownership or ability to farm. This has been an expensive lesson for the Whites, and a learning case for the county in that we are seeing a weakness in our policy. Commissioner Van Beek said there has been a loss because Mr. Hansen uses farm equipment on his 6-acre hay operation and he needs that setback. Until zoning is changed or the ordinance is changed there is still a strong argument for policy and it has to be looked at from both sides. Commissioner Dale said the fence determines how far that farm equipment can go, and no evidence has been shown that a property right is being taken away. He doesn't see how the pool structure infringes on the way to irrigate the Hansens' land. The most recent case law supports this variance. We are following polices; if setbacks cannot be met, a variance must be approved. Commissioner White encouraged both parties to not let a swimming pool come between their friendship. She is in favor of granting the variance. Commissioner Dale made a motion to approve the variance application with conditions of approval. He is not going to require them to cut off a foot of the cement walkway. Ms. Almeida said she amended one of the proposed condition regarding the timeframe on installing the wrought iron pool fence. They have until June 5, 2020 to complete that fence. Commissioner Dale said he will include that in his motion. The motion was seconded by Commissioner White. Commissioner Van Beek was opposed to the motion. The motion carried by a two-to-one split vote with Commissioner Van Beek casting the dissenting vote. Staff will prepare revised findings of fact and conclusions of law based on the Board's deliberation today and will be considered on March 18, 2020 at 9:00 a.m. The hearing concluded at 11:12 a.m. An audio recording is on file in the Commissioners' Office.

PRESENTATION BY JEFF BARNES & TOM POINTS REGARDING 2020 CANYON COUNTY VEHICLE REGISTRATION FEE INCREASE PROPOSAL (INFORMATIONAL ONLY)

The Board met today at 2:00 p.m. for an informational presentation by Jeff Barnes and Tom Points regarding the 2020 Canyon County Vehicle Registration Fee Increase Proposal. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Nampa Public Works Director Tom Points, Nampa Deputy Public Works Director Jeff Barnes, Assessor Brian Stender, Deputy P.A. Dan Blocksom, DSD Director Tricia Nilsson, Controller Zach Wagoner, Chief Deputy Sheriff Marv Dashiell, Rachel Spacek from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. In response to input from citizens, the City of Nampa is proposing a countywide vehicle registration fee of \$25 to help address the transportation funding shortfall. Idaho Code allows a county to impose a vehicle registration fee and it was proposed that it be a 70% split for highway districts or 30% for cities unless agencies come up with a different idea to split it. After discussions they learned the highway districts are amenable to a 50/50 split with the cities. A PowerPoint presentation was given, a copy of which is on file with this day's minute entry. Highlights were as follows:
Partnership between all 13 highway jurisdictions (4 highway districts; and the cities of Notus, Parma, Wilder, Greenleaf, Middleton, Caldwell, Nampa Melba and Star)

Why a registration fee increase?

- Roads are deteriorating
- It's attainable
- Equitable – users of the roads pay for the increase
- A way for growth to pay for growth

What Have We Heard?

- Focus on maintenance, safety, and safe routes to schools
- Present clear, unified message with special recognizable projects
- Start early
- Concerns over tax increases and levy rates
- Alternative property tax increases

Survey Response to Registration Fees

Memorandum of Understanding (MOU)

- Must be signed by all 13 highway jurisdictions
- \$25 increase, approx. \$4.4M annually to Canyon County
- Distribution according to MOU
- Minimum \$40,000 per year (*to smaller cities*)
- November 2020 election

Estimated Annual Funding Distribution

- Highway District Subtotal \$2,192,052
- City Subtotal \$2,192,052

Next Steps

- Councils and Commissions sign final MOT
- Signed MOU to Canyon County Commissioners to place on the November 2020 ballot
- Begin public education process

A roundtable discussion ensued. The city is hoping to have answer soon from the County because they would like to place this issue on the November ballot. The Board will review the information, including the MOU. No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 6, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Business Interiors of Idaho in the amount of \$3154.56 for the court clerks
- Business Interiors of Idaho in the amount of \$2311.20 for the court clerks

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Pantera Market 3 to be used 3/6/20 and 3/7/20 for Latino Days.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. for a legal staff update and to consider action items. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Clerk Chris Yamamoto, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, PIO Joe Decker, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed, Fair Director Diana Sinner left at 9:03 a.m., Facilities Director Paul Navarro, Director of SWDH Nikki Zogg, EOM Christine Wendelsdorf, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing 2020 Canyon County Fair Entertainment Agreements with National Entertainment Group - Richard Barker, Reptile Adventurers and Tyler Messina, Norma Lopez aka Pansy the Clown, Hispanic Folkloric Dancers of Idaho and Brad Ebert, The Raptor Project, LLC, Extreme Raptors Show, and Jonathan Wood, Dueling Pianos and Jason Buckalew, Billie Madison aka Bubbie the Clown: Director Sinner gave a brief description of each entertainer's act and Mr. Wesley said these are the regular contracts that contain all the standard conditions. Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to sign the 2020 Canyon County Fair Entertainment agreements. See agreement nos. 20-033 thru 20-039.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) to discuss records exempt from public disclosure and attorney-client communication and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Assessor Brian Stender, Clerk Chris Yamamoto, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, PIO Joe Decker, Deputy P.A. Zach Wesley, Chief Deputy P.A. Sam Laugheed, Facilities Director Paul Navarro, Director of SWDH Nikki Zogg, EOM Christine Wendelsdorf, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:03 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY TROOST FAMILY TRUST FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE, CASE NOS. OR2019-0002 & RZ2019-0004

The Board met today at 1:31 p.m. to consider a request by Troost Family Trust for a comprehensive plan map amendment to change the designation of Parcel No. R33402010 from "Agriculture" to "Commercial" and "Residential", and a rezone of approximately 30 acres from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone, and approximately 6 acres from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone, Case Nos. OR2019-0002 & RZ2019-0004. Present were: Commissioners Pam White, Tom Dale, and Leslie Van Beek, Deputy PA Zach Wesley, DSD Planner Jennifer Almeida, DSD Director Tricia Nilsson, TJ Wellard, Sheena Wellard, Greg Bullock, Jeannette Bullock, Bill Werhane, Sheila Ford, Daniel Brady, Ryan Tuttle, Michael Davenport, Rich Hellwege, Darryl Ford, Paul Townsend, Jay Sharbono, and Deputy Clerk Monica Reeves. The first hearing was held on December 11, 2019 and was continued to January 6, 2020 where Commissioners Pam White and Tom Dale voted in favor of the request. Commissioner Van Beek was opposed to the motion to approve. Because the Board's decision differed from the P&Z Commission's recommendation a second public hearing was required and is being held today.

Jennifer Almeida addressed the late exhibits that were submitted and briefly reviewed the staff report. The subject property is approximately 36.72 acres and is currently zoned agriculture. The future land use is also agriculture. The P&Z Commission recommended denial of the request on September 19, 2019 and on January 6, 2020 the Board of Commissioners voted to approve the request and because that was a material change from the P&Z Commission's recommendation a second public hearing is being held pursuant to Idaho Code. Seven platted subdivisions exist within one mile of the subject property and the average lot size is 1.18 acres. The subdivisions adjacent to the property, Sunnyslope No. 1

and No. 2, were recorded in 1948 and 1949, and were created prior to zoning regulations in the County. The remaining subdivisions were also created prior to zoning regulations within the exception of Pear Lane Estates which was platted in 2007 and Newby Subdivision which was platted in 2018. The predominate zoning district within one mile is agriculture. There is commercial zoning located south of the subject property which dates back to 1985 and serves as the Sunnyslope Market, a store and gas station. There is a conditional rezone to rural residential located approx. 1,337 feet south of the subject property which allowed for the residential lot and one agricultural-only parcel that was platted as Newby Subdivision. COMPASS indicates the household forecast for this area shows an increase of 22 households by the year 2040. COMPASS noted the proposal exceeds current growth forecasts for the area noting transportation and infrastructure may not be able to support the new transportation demands. The applicant has proposed individual septic and wells for the project. The subject property is located within a nitrate priority area. There are several wells within the immediate vicinity that have tested high in nitrates. The property currently has frontage on Apricot Lane and Sunnyslope Road. Golden Gate Highway District stated the residential portion of the development would be below the threshold that would require a traffic impact study; however, they were more concerned with the C-2 zoning which has the potential to generate significant traffic at full buildout and as a result the district will require a traffic impact study for the commercial portion of the development. ITD noted that the development should, if possible, take access from local roads. If the development wishes to take access to the state highway system and there are local accesses available the applicant must prove the need for highway access through a traffic impact study. Staff has found the request does not meet the standards of review for a comprehensive plan map amendment and rezone.

Commissioner Van Beek said subsequent to our last hearing there was information received regarding the American Viticultural Area, which is a designated wine and grape growing region encompassing this area. She submitted a copy of the definition of a viticultural (Exhibit No. 38), which she said ties back to the relevance of Exhibit No. 33 and No. 35 and the establishment of the area in 2007.

Greg Bullock read a prepared statement as follows: In November of 2018, Greg Troost, the Troost Family Living Trust, purchased a dairy farm of approximately 320 acres from Dorsey Farms and 280 of those acres are located on Lowell Road, approx. one mile to the west of this location. This 38-acre parcel was a part of that acquisition but it's separated by over a mile and a half from the rest of that dairy and farming operation. Since then Mr. Troost has cleared 40 acres of the original Dorsey Dairy and put in a large center pivot and is planning to grow hay there for his dairy operation. It seems this location would be ideal to provide affordable housing and agricultural employee housing that's needed throughout the county. Of all the land he owns in the county this was the most viable parcel given the existing 111 lots around it, the commercial on the corner, the highway, and the site owned by the LDS church. They held a neighborhood meeting last summer and 6-8 people showed up, they had questions but one no opposed it that night. There was no opposition at the P&Z Commission hearing. At the first hearing in front of the Board, no one testified in opposition – the only

opposition came from Commissioner Van Beek up to that point. There was a request for a continuance on that hearing to provide additional information on the project and they convened two weeks later. At that time the Board voted 2 to 1 in favor of the request. The findings of fact and conclusions of law and order (FCO's) were not available for signature at that time but Mr. Bullock was told they would be completed and signed within 2 weeks. At the end of those two weeks he received an email from DSD that the County's legal counsel was requiring an additional hearing on the basis that there is a change in material fact. Their understanding of a material fact is that the Board went against the recommendation of P&Z Commission. That raised a lot of questions, so he spoke with former County employees who said it's not necessary to conduct another hearing today; it's out of procedure and the Board has the final authorization and the FCO's should have been signed. He said there have been other instances where the Board went against the P&Z Commission's recommendation and an additional hearing was not held. He contacted legal counsel who said it's almost unheard of, it's not been a practice or a standard protocol. There's been no material change and the fact the Board went against the P&Z Commission does not initiate a material change. On the advice of legal counsel Mr. Bullock requested the Board vacate the hearing and sign the FCO's from the previous hearing in January. He finds it very strange that after zero opposition to all the hearings we now have several letters in opposition and eight people prepared to testify in opposition and there is now additional material in opposition from a Commissioner, which he finds surprising. The facts remain, nothing has changed from the time they had approval. At the previous hearing Commissioner Van Beek wanted to enter an exhibit that referenced the Snake River viticultural region. The designation granted in 2007 is an economic development, it's for tourism and it's really nothing more than saying Idaho is unique in that it can grow a unique wine. It does not have any land use restrictions. Affordable housing is needed in the County. On February 22, 2020 the Idaho Press-Tribune had an article that in the previous 12 months we have had an increase in housing prices of \$32,000 in a 12-month period which is an 18% increase. Let's say the Snake River/Sunnyslope becomes a great vineyard area, where are you going to put the employees? They cannot afford \$400,000 homes in the county on an acre overlooking the area. Commissioner White asked if it's low income housing or affordable housing. Mr. Bullock said it is affordable housing, not low-income housing. They are looking at 23 one-acre lots. Mr. Troost lives in Parma and has farms all over the County, and he has 280 acres on Lowell Road which is one mile away, and it's not practical to think his employees for his dairy location in Parma are going to live in this area. He is not moving his dairy employees in Parma to this location. He has a lot of other farm operations in this area where his employees need a place to live. In response to questions from Commissioner White, Mr. Bullock testified that the lots will have outbuildings but there will not be any commercial use, they are not establishing a business or doing mechanic work. They are manufactured homes that will be permanent fixtures on a foundation. They qualify for rural residential financing. They will be able to sell a home on a one-acre for \$220,000 or less. Commissioner White said if there are going to be outbuildings, she wants them behind a fence, and for there to be paved driveways and she would like streetlights, and she said the landscaping needs to go to the edge of the street. The subdivision will be behind the commercial portion so could there be a vinyl fence to give

a backdrop for the commercial area. Mr. Bullock said he has no problem with those proposals. He has had a discussion with the neighbor who will be impacted the most by the commercial development and they've already talked about a privacy fence.

TJ Wellard testified he's been involved in hearings where the Board approved cases that were recommended for denial by the P&Z Commission and second hearings were not held. He disagrees that a second is necessary, but he understands the Board's desire to follow its legal advice. This is not standard practice. He stands by his previous testimony at the underlying hearings.

Bill Werhane offered neutral testimony. He lives close the subject property and he walks the orchards every morning and sees the people working the orchards and he said they deserve a place to call home. In the last five years he's noticed there are burned-out/unlivable buildings in the Sunnyslope area and he'd liked to see them brought up to standards where they could be used before starting another project. He is opposed to Commissioner White's suggestion for streetlights because he likes the night skies. The area has elevated arsenic levels and it's treated at the well head so there are ways to do it without having individual wells and septic systems. Having one system that would treat it would be better on the land.

Commissioner Van Beek asked if Mr. Werhane was referring to blighted subdivisions in the area. Director Nilsson said over the years this has been a hot spot for code enforcement activity and they have worked on those properties to the point they are seeing more reinvestment in some of the lots and they have been pleased that the code enforcement efforts have resulted in more upkeep of the properties. She cannot speak to the burned-out buildings other than the county has not adopted a dangerous building provision so we're not able to require teardown of the structures but there have been debris piles and other things that have been cleaned up. It's not 100%, but it's much better than it has been. It has been an area that has needed some clean up and that's been happening. Commissioner Van Beek asked for clarification on the necessity of having a second hearing due to the material change being made. Zach Wesley said this is not that unusual of a process. The unusual thing about this circumstance is we didn't catch it until after the first hearing had concluded and we usually note at the end of a hearing that a second hearing will be held. The particular law we're talking about is Idaho Code 67-6509(b) and this is a provision of the law that is recycled a lot in the local use and planning act and it talks about the adoption amendment and repeal of the plan and spells out the process for all of your zoning decisions under the law, and so all the processes point back to this one section. The particular language is at the end of 67-6509(b) and it says: *"Following consideration by the governing board, if the governing board makes a material change in the recommendation where alternative options contained in the recommendation by the commission concerning adoption, amendment, or repeal of the plan, further notice and hearing shall be provided before the governing board adopts, amends, or repeals the plan."* In this case we do have a comprehensive plan map update so that language is on point. If the Board makes a decision that differs from the P&Z Commission's recommendations it has been our practice that the Board holds a second

hearing and there is case law that supports that. We don't always catch it, and sometimes we have missed one or two but it's been a regular practice.

The following people testified in opposition to the request:

Rich Hellwege has lived in the area since 1980 and he farms and raises cattle on his land and the he is opposed to this request based on the proposed number of wells. The water level has dropped and he's pumping sand in his well. There is a new subdivision nearby with 17 homes with individual wells and septic. Good water is found at 80-90 feet but there's not a lot of it and if you go below that you will get into sulfur water. Those who live in \$500,000 homes have an osmosis system because of the sulfur water. A few years ago, Williamson Fruit Ranch started a winery just past the subject property and they wanted to do a fruit stand along with it but they were denied because of additional cars coming onto the highway. He has the following concerns: traffic conditions in the area are dangerous; farmland needs to be protected; and complaints from residents about farming practices. The Sunnyslope area is in the Snake River Valley AVA (American Viticultural Area), which is a designated wine grape-growing region, and it's known for great fruit and great wine and that AVA designation will bring more money for winemakers. He's opposed to commercial being done on the front of the property. He said a person in the audience today purchased the existing store and has invested thousands of dollars in it and now a Chevron station may go on the property which would put this person out of business.

Sheila Ford testified that a lot has been said about the need for a new jail and we haven't solved the problem to plan for future increased population and yet people want to build more subdivisions. Let's figure out how to plan for future needs without having existing homeowners pay for the needs of the new residents before we fill up the valley with new subdivisions.

Darryl Ford lives on Frost Road and he has a beautiful view. They moved from the Mojave Desert in California to raise their kids in Idaho and they want to stay in a rural area. He had to purchase a new digital pump for his well because the old one was blowing fuses. His water tastes good, but his neighbor's water is white and it smells bad. The nitrates are high in the area and he's concerned they will go up and they won't be able to use the water and will have to pipe water in and pipe the sewage out and the residents will have to pay for it. He supports the rural lifestyle and wants to keep things open. He has horses and if his well goes down and agriculture goes away there is nothing to feed that aquifer and he won't be able to feed and water his horses.

Paul Townsend testified that he is opposed to development because of the degrading of the community as more people come in. He is against urbanization.

Greg Bullock offered rebuttal comments. He said SWDH will govern wells and septic systems and determine what's allowable, and he noted that the highway district is not opposed to this development. He said the right to farm act is in place to protect agriculture, and the proposed development will not impact any of the orchard activity.

Commissioner White asked if the project will have government subsidized low-income housing. Mr. Bullock said this is not low-income government subsidized housing, and if he needs to put a deed restriction on it, he will. Commissioner Van Beek asked if the project will be restricted to a manufactured homes. Mr. Bullock said it comes down to the size of the home, if someone wants a 900 square foot home would we be able to restrict that? They are targeting \$190,000 to \$240,000 final purchase price, which is considered affordable housing. He said the properties surrounding it would not allow any developer to build anything of substantial cost and expect someone to pay that and live there because of the surrounding neighborhood. Commissioner Van Beek said some of those are blighted areas and she spoke of concerns of the potential that it could attract issues of drugs and domestic violence. Mr. Bullock said just because someone is not affluent does not mean they have a higher degree of an immoral life. Commissioner Dale said there are a number of innovative approaches to housing, including the modular homes, which are more economical. His understanding is that the intent is to provide affordable housing for people who want to work in agriculture. Commissioner White asked if an investor is going to build the homes for rental properties. Mr. Bullock said no, that is not the intention.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. The motion and second were withdrawn to allow another person to testify.

Michael Devenport questioned the Board's decision to go against the P&Z Commission's recommendation in this case. He spoke about the need for road improvements in Canyon County and the dangerous traffic conditions in the Sunnyslope area. He is not in favor of adding more houses to this area.

Jay Sharbono lives on Sunnyslope Road and he owns the gas station located at Highway 55 and Apricot Lane and he is worried about access and traffic on Apricot Road. He spent his retirement on that property and he fears the proposed development will stop access to his gas pumps. He spoke about the water situation in the area. He just had a new pump put it in and it was 40 feet deeper than the old one. He is concerned about the impact additional wells and septic systems will have on the existing water and ground water.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner White said if someone can afford to purchase their own home, she is in favor of them doing so and she supports having affordable homes for farmworkers. She noted that SWDH will have to weigh in on the wells and septic system proposal. Director Nilsson said if a condition that would help would be to have a completed nutrient pathogen study prior to submitting the subdivision plat and the result of that study will determine the number of lots. It's better to have that done before you spend money on the plat. Mr. Bullock said they have to come back with a plat and a study but that's determined in the future. Jennifer Almeida said this is not a conditional rezone so placing conditions at this point would be difficult without a development agreement. Commissioner Van Beek said we need to follow the guidelines of the comprehensive plan which support denial of this application. Once development starts in an area it catapults

growth forward in an area that is inconsistent with the comprehensive plan. New development should be located in close proximity to existing infrastructure and in areas where agricultural uses are not diminished. Locating homes in this area is going to impact the orchards. Williamson Farms has a statement of opposition to this based on traffic issues, the need for road improvements. The gas station owner will be impacted. The highway district is concerned about the structural capacity of the roadway and the calculation of proportionate cost share to do that. This area is a designated corridor and should be protected. There is a blighted area out there that would eventually, hopefully, be able to be repurposed or upgraded and it should be used for existing agricultural operations and designated for rural use. There is cause to pause and look at what we don't do, but also what we have the power to do and that is to direct growth. She doesn't find a basis for approving this housing project in the Snake River Valley Wine Region. If at some point there is to be development out there it should highlight the agricultural corridor by having well thought out, well developed homes in that region. Commissioner White said it's a matter of interpretation of the comprehensive plan goals which include supporting agricultural industries and related agricultural activities and this proposal will provide housing for the workers in that area. She spoke about the need to balance the rights of both the farmer who sold the land and the farmer who purchased the land. Commissioner Dale said there are things that can be done to mitigate concerns. Growth is a natural thing that happens, and the alternative to growth is stagnation and that's not something he wants to see. He recognizes that growth can bring its own challenges when it occurs too fast. He has lobbied for 20 years for additional highway funding and he encouraged people to speak to their legislators about adequate funding for highways. He does not believe this proposal will affect orchards or vineyards if this residential use and the commercial use come. There is housing already in the area, and although it's a little rundown according to staff it's being addressed. He thinks it's a good concept to provide affordable housing and he's still in favor of the request. Commissioner Van Beek said we could follow a model of infill first. Transportation needs are a shortfall every year, but to sprawl into the rural areas only increases the need for transportation funding and so let's not spread dollars thinner where infrastructure cannot support the traffic on the corridor. Commissioner Dale started to make a motion to approve the request, but Deputy P.A. Zach Wesley said we'll need a continuance for the development agreement and the Board needs to deliberate and provide some direction on what the conditions will be. Mr. Bullock questioned why that couldn't be done during the preliminary plat stage, but he was informed it is standard process for the Board to have a hearing on a development agreement. Commissioner White outlined the proposed conditions: the applicant shall complete a nutrient pathogen study; the affordable housing component shall be in substantial compliance as presented in the concept plan; there shall be privacy fencing behind the commercial use; driveways shall be cement or asphalt; landscaping shall be to the street; any repair work shall be behind the fence; and there shall be two caliber of trees per lot. It was noted that the requirement for a nutrient pathogen study will only be necessary if SWDH requires one. Commissioner Van Beek raised concerns about the potential for soils contamination if residents are allowed to service equipment on their property. Commissioner Dale noted that state law prohibits contaminating soil, and as far as staging

equipment we're talking about parking a truck, not commercial equipment. These are individual home lots and they are not to be commercially used and that should be stated in the development agreement or in the CC&R's. It was noted that home occupations and home businesses as currently provided for in the ordinance are still applicable to this project. Director Nilsson said she will try to get as close as possible to the requirement for providing landscaping to the street, but it will depend on what the plat would show for the roads. The highway district controls the right-of-way and the road surface is within that. Commissioner White said the applicant understands what her intent is. The requirement for two trees will be addressed through the CC&R's to show it's provided for. Director Nilsson said she is unclear about how to ensure the homes are affordable, she doesn't have a condition for that. Commissioner White said it shall be in substantial compliance with what the applicant shows in concept plan. Commissioner Dale made a motion to approve the request for a comprehensive plan map amendment and rezone for Troost Family Trust subject to the approval of the development agreement for the rezone. The motion was seconded by Commissioner White. Commissioner Van Beek was opposed to the motion to approve. The motion carried by a two-to-one split vote with Commissioner Van Beek casting the dissenting vote. Staff will work with the applicant on a draft development agreement which will be noticed for a hearing. The applicant will have to apply and pay the fee for that and then another noticed hearing will be held by the Board. Mr. Ford asked if he could submit the documents he referred to in his testimony, but the request was denied because the hearing was closed. The hearing concluded at 3:26 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 9, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$6150.00 for the Information Technology department
- HP, Inc. in the amount of \$10,752.00 for the Information Technology department
- BOE in the amount of \$1520.00 for the Information Technology department

APPROVED CLAIMS ORDER NO. 3/2/20

The Board of Commissioners approved payment of County claims in the amount of \$128,321.43 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/10/20

The Board of Commissioners approved payment of County claims in the amount of \$4635.09, \$174,895.64, \$78,788.69, \$146,965.24 and \$157,123.00 for accounts payable.

PUBLIC HEARING – APPEAL BY DAN WOODRUFF OF THE DECISION WHICH GRANTED A CUP TO GRANITE EXCAVATION, CASE NO. CU2019-0007-APL

The Board met today at 9:04 a.m. to conduct a continued hearing in the matter of an appeal by Dan Woodruff of the P&Z Commission's decision which granted a Conditional Use Permit (CUP) to Granite Excavation, Case No. CU2019-0007APL. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Tricia Nilsson, DSD Planner Dan Lister, Dan Woodruff, Kim Woodruff, Laura Coontz, James Coontz, Rob Bearden, Renate Bearden, Diana Stanford, Alexis Malcomb, Karen Jimmy, Representatives of the Upper Snake River Tribes, Carolyn Connelly, Robert Ingersoll, Ronald Sam, Mark Olson, Terri Mitchell, Harold Nevill, Colleen Buchanan, Antoinette Cavanaugh, Norm Cavanaugh, Arnold Thomas, Nadine Givens, Steve Givens, Gary Whitemore, Juli McCoy, Nichole Schwend, Nekane McGarvie, Micaela Jones, Treyvlin Jones, Travis Mitchell, Chris Shaver, Dale Gray, Attorney Joshua Leonard, Josh Davis, Dusty Hibbard, Scott Nicholson, Dave Cockrum, other interested persons, and Deputy Clerk Monica Reeves.

Today's hearing was continued from February 25, 2020 to allow for an archaeological assessment to be submitted and to review new information. Dan Lister reviewed the late exhibits that were submitted. Attorney Joshua Leonard requested certain exhibits be stricken but the Board decided all exhibits would be entered into the record.

Testimony in support of Dan Woodruff's appeal was as follows:

Dan Woodruff testified that his house is within walking distance of the proposed gravel pit and he has walked to scores of different burial sites located in the canyon. It's a beautiful and scenic area and it's important to keep it that way it is.

Rob Bearden submitted pictures of a private pit that's been on Map Rock Road for 30 years and he said the pictures show the land does not repair itself. He is concerned that the proposal will set a precedent for all agricultural property along the area to have gravel pits on scenic river corridors. He said Idaho Power was okay with taking the dirt out of areas close by to avoid trucks on the highway, but that doesn't make sense. The only people who will benefit are the farmer and the gravel company at the expense of the surrounding homeowners and recreationists.

Mark Olson testified about the Native American heritage and his concern that the culture will be further decimated if the gravel pit is allowed on this sacred ground.

Colleen Buchanan moved to Map Rock Road in 2001 and she spoke of the recreationists who utilize the area and her concern about bicyclists encountering truck traffic on the road. A couple of years ago a heavy rainstorm resulted in catastrophic damage to the area which took out the road to her property which is concerning given that there is only one way in and one way out.

Robert Ingersoll testified about similar mining operations in Minnesota and California that destruction that occurred on those lands. He also spoke of a local Jeep club that utilizes the Map Rock area.

Antoinette Cavanaugh, who is a teacher from Duck Valley, gave testimony regarding the history of the Boise Valley and how it continues to be the original homelands of the Tribal group known collectively as the People of the Boise Valley which includes the Bannock, Shoshone, Paiute, Nez Perce, Umatilla and Walla Walla Tribes, to name a few. In 1864 Idaho's Governor negotiated the Boise Valley Treaty between the United States and those Tribes and it stated the original people needed to move 30 miles on either side of the river, away from the river. In 1866 the Governor negotiated the Bruneau Valley Treaty which was, in part, between the U.S. and the leaders of the Shoshone Tribes. Both treaties were left unratified by Congress and as a result the land issue has never been resolved. After silver and gold were discovered in the Boise Valley area, the original Boise Valley inhabitants were forcibly relocated to five different reservations in Idaho, Nevada, and Oregon and they currently exist today which are located hundreds of miles from the Boise Valley. The land of the Boise Valley and the Bruneau Valley continues to be unseeded for the aforementioned treaties were never ratified by Congress regardless of forced removal of the Indigenous people that took place. In 1974, her uncle and other Shoshone representatives were assembled in council in Boise and they urged the Idaho Congressional delegation to take necessary action to correct this longstanding issue where it remained unresolved. There was the Dan case before the United Nations committee on the elimination of racial discrimination, and in that case Carrie and Mary Dan, sisters and traditional Western Shoshone elders, filed a complaint maintaining that the United States had violated, and continues to violate, their basic human rights by attempting to take their traditional Western Shoshone land through discriminatory means. The committee issued its report in March of 2006 finding that the United States' attempt to remove the Dan sisters from their ancestral lands violated their basic human rights to property, equality before the law, and to fair trial. The committee recommended that the U.S. provide the petitioners with an effective remedy for the infringement of Western Shoshone property rights over ancestral lands and that the United States review its laws to ensure that Indigenous peoples property rights are determined in accordance with recognized human rights standards. The Inter-American Commission also said that all governments must honor the unique relationship between Indigenous people and their

traditional resources and lands. This relationship warrants special measures of protection which must be part of a legal system of all countries for indigenous human rights to be protected. In keeping with the recommendation of the United Nations Committee on the Elimination of Racial Discrimination, Ms. Cavanaugh, whose ancestors come from the Boise Valley, urged the Board to engage in meaningful dialogue with the representatives of the Tribes of the Boise Valley People to determine further action regarding the preservation of Map Rock and all other possible existing protected items.

Ronald Sam is a member of the descendants of the Boise Valley People. He testified that the Paiute Tribes lived along the Snake River in this area and he would hate to have a gravel company disturb this sacred area which includes burial sites and petroglyphs. He also has concern about how the mining could affect the water, wildlife and the people of the area.

Harold Neville testified on behalf of the Snake River Scenic Byway committee which is opposed to the development. The committee wants to have more signage in the area so people can have an interpretation of the original inhabitants.

Norm Cavanaugh lives on the Duck Valley reserve in Owyhee, Nevada and he is an elder and an educator with experience in public work. He has taught many classes on language, culture, and recorded many elders in terms of their stories. Petroglyphs tell a story of the people who travelled through this area many years ago. For years elders taught them not to share our story because the Europeans will only take – they will not give. Some may think those rocks are simple rocks or gravel waiting to be dug up and converted into something else but for the Native people they are our history. It is important for this area to remain intact so the cultural stories can be shared with the young people and so that elders can interpret the stories of what's on the rocks.

Arnold Thomas is from Owyhee, Nevada he spoke on behalf of the Shoshone Paiute Tribe which is opposed to this project. He is an elected councilman for the Shoshone Paiute Tribes of Duck Valley, he is also an ordained Holy One chaplain, pastor, and counsellor and his profession is social work. The Shoshone Paiute Tribes of Duck Valley are original Tribal people of the region and they oppose the Granite Excavation project. There are federal laws that pertain to disturbance of the lands, this sacred site of Map Rock, and they want a complete archaeological study of this land with their professionals which includes elders such as Norm Cavanaugh and other Tribal members. Mother earth has been disturbed and it's of great concern to the Tribes and it should be concerning to everyone. The great law of peace adheres to all human beings and rational decisions should be made to have a policy of impact to say no to future mining.

Steve Givens referred to pictures he submitted noting that he sees the face of the cliff every day and he has seen how many times the earth has been disturbed but no efforts have been made to rejuvenate it. Map Rock is located across from his property; there used to be dozens of petroglyphs but they are gone now and that affects him. He takes care of the lawns and

grounds and he sees the remains the Indians have left. Mr. Givens said this gravel project needs a grading plan and it needs to be monitored along with the rock crusher. He said if the Board grants a 30-year permission slip to crush rocks 12 hours a day, six days a week they residents will never have any peace.

Parks Director Nichole Schwend gave a review of the archaeological assessment that was submitted. She said as an archaeologist one of the biggest things to get across is that sites like these whether they are petroglyphs or talus pits or below ground archaeological sites, get one shot to exist and once they are disturbed/destroyed it's gone. She said there are gaps in the archaeological record and oftentimes it's because it is private land and cannot be studied, or because it's been picked through. There is a lot of misunderstanding about when archaeological assessments have to happen and when projects have to stop, and unfortunately if there's not federal money involved and unless you put stipulations on the CUP, they can plow through whatever they want which is her main concern. She provided in her assessment report a map that shows how many archaeological sites are along the river. The area is a flat lush landscape where they could camp anywhere and therefore that whole area has extreme potential for archaeological sites. She referenced the draft report that was provided and noted there are number of things that are wrong. Part of the report wasn't even for this project, it was very thorough in its history but very lacking in its prehistory; it didn't reference Map Rock, the Guffey Butte Black Butte Archaeological District, or some of the major resources out there. It didn't give a complete clear picture and her recommendation is if this CUP goes through, unless there are stipulations about how they have to go forward with archaeological monitoring or following state historical standards they don't have to do anything more than provide the report they've already provided. All they have done so far is identify that they have some sites that are National Register eligible and there could be more and they have fulfilled the requests. Without additional stipulations there is nothing that prevents them from going through and destroying things. Director Schwend responded to additional questions from Commissioner Van Beek and there was further discussion about the responsibility of reporting archaeological finds including having a third-party trained archaeologist on site to identify cultural materials.

Karen Jimmy is a member of the Shoshone Paiute Tribe and she found out about this hearing through a Facebook post. She said there is a gathering that's held here called The Return of the Boise Valley People and she's attended it for several years. Map Rock Road is a sacred site and she has taken family members to the area and they have prayed and made offerings on the site. Her ancestors lived along the Snake River and endured the hardships in order for her to be here so this is something that is near and dear to her heart and she wants the area to be intact for her people.

Neutral testimony was offered as follows:

Chris Shaver from the Idaho State Historical Society testified that he is a compliance archaeologist whose role is to see reports that come in and evaluate projects and assess their

effects. In early November he started getting phone calls about this project, including a call from Dave Cockrum from Geodyssey who asked him to look into whether he could talk to the Canyon County Historic Preservation Commission and have them waive the conditional use permit for an archaeological survey. He explained there is no federal nexus; he does not have the right to review the document for archaeological purpose under section 106. Mr. Shaver said at the February 25 hearing Mr. Cockrum stated that Chris Shaver's office would have the right to review any documents, but that is not the case. Unless there is a federal nexus, funding, or permit, Mr. Shaver has no rights to read the document. When he says he is neutral as a member of the state historic preservation office he doesn't have any say on whether he likes a project or not. He has to go through the process to make sure the applicant/agency/developer goes through the processes to get to the point where they mitigated, minimized, or avoided archaeological resources. He was given the documentation and it acknowledges that at this point there is no reason for the state historic preservation office to be doing any type of assessment of effect. Whatever the Board decides on it will not be with his reading or approval.

Dale Gray, who is the President of Frontier Historical Consultants (FHC) based in Grand View, Idaho, gave testimony about the report FHC completed. He said Bill Statham is the senior archaeologist but he had a family tragedy and could not be here today. One of the comments was that FHC does not appear in the SHPO's (State Historic Preservation Office) database for consultants qualified to do this work. He said that online database is like the yellow pages, it's a convenience for contractors to find people who are qualified. The real gate resides in file cabinets where consultants present their credentials and are then filed away. Mr. Gray's credentials are from 1993 and Bill Statham's credential predate the system. Bill Statham has a master's degree in anthropology and a BA in archaeology and he has worked with all of the greats in Idaho archaeology for over 40 years. Mr. Gray has a master's degree in history and he has been doing cultural resource work since 1990, before that he was the museum director in Owyhee County. Their field worker, David Barklow, has a bachelor's degree in Anthropology and he served on the Givens Dig in 1990. They were hired for this project as an independent contractor by the gravel company but he is neither for nor against the gravel pit. He has conducted 142 gravel pits studies in his career and all but two have been in Idaho, most in Ada and Canyon Counties. He is familiar with the corridor and he holds Map Rock sacred. They went to the site expecting to find a lot of items but was shocked they didn't find anything when they went across the farmland. It has been leveled and they are no artifacts in areas that have land leveled. When they looked at the property they realized the material had been taken away from the upper pastures and moved down toward the river, which explains why they weren't finding anything because they have been excavating sterile material from the upper fields and placing it on whatever is below. With land levelling the fields get churned and anything in that area gets mixed up. They surveyed the lower area then moved on to the hillside fully expecting to find petroglyphs, but all they found were two initials carved on top of the boulder, but they did find the talus pits. The mere presence is information and that's why they recommended they be avoided and potentially added to a district. All of the land that is now being farmed is not an original surface, it is not pristine

so the experience of going through that valley you're looking at a historic farmland. They looked for the historic Bernard's Ferry Road but it's gone, it was land levelled in the 1920's as were a lot of other things. Idaho Power recently completed a study just north of the project where they did excavations looking for prehistoric subsurface materials and they found nothing. Mr. Gray has a master's degree in history with 30 years of archaeological background and some classroom work but he is not a master's level archaeologist. He took the report as far as he could and then it went to Bill Statham, the master's level archaeologist and he would have fixed the points that were referenced by Director Schwend. He said they never do the abstract or conclusion until they're done and he apologized for the inadequacies in the report. The missing context is also part of that because when it comes to sensitive context like this he is not qualified to write that, but Mr. Statham is, but he didn't have time to do it because tragedy struck his family. There was discussion about what happens when artifacts are disturbed or destroyed, they lose all potential to evaluate the area in context. He said Mr. Statham made a recommendation that if evidence of a prehistoric site is found work should stop. The industry standard is work stops in the immediate vicinity of the project area and it is cordoned off. There was discussion about the credentials of those who are qualified to monitor sites. They do not recommend that every inch be monitored because there is really no reason to monitor the upper fields if they're being excavated because they've already been excavated in the 1920's. Anything that was found that was up there was excavated away when they did land levelling. However, in the lower areas from the farm house to the middle of the field there is a good potential we might find evidence of prehistoric villages and that area should be monitored when they take the soil off. They had a historian and a trained archaeologist on the survey and the whole report was going to a master's level archaeologist before it went out. Mr. Gray said he will not be influenced by someone suggesting what his findings should be. He asked that the map Director Schwend submitted not be on the public record because he doesn't want there to be a looter's guide to an archaeological site.

Testimony in opposition to the appeal was as follows:

Attorney Joshua Leonard apologized for his letter requesting the exhibits to be stricken from the record. He said he submitted the letter due to a misunderstanding about the scope of what the Board would be considering today but he now understands the scope is pretty open. He asked staff to determine if there is anything culturally sensitive or could be considered a looter's guide and asked that it be redacted from the record whether it's in the report or any of the submitted documents. Dan Lister said Director Schwend submitted a redacted version. Mr. Leonard said Granite Excavation voluntarily submitted the draft cultural assessment report. It is not a completed report. They intended to have the archaeologist here who performed that service but a tragedy occurred this weekend and Mr. Statham wasn't able to be here today. He asked the Board to impose a condition of approval requiring the applicant develop and implement an inadvertent discovery plan and adhere to that. The plan should include a requirement to notify, if they will accept notification, the state historic preservation office and the archaeologist who performed the study. Mr. Gray has trained

operators in recognizing cultural and historic items and treating them with care and would welcome a condition requiring training to occur for operators on this site. With regard to the Snake River Scenic Byway Corridor Management Plan, he said Commissioner Van Beek quoted it as saying it puts the onus of protecting byways on the decision makers, but that is directly contradictory to law. There is no onus placed on the decision makers by that document. That document was approved by resolution but that does not make it law. That makes it appreciated. It cannot be relied upon in denying the CUP request in this case. Instead you must rely on the zoning code and the application's compliance with the comprehensive plan. The irony of opposing the proposed use on the basis that a paved road that cuts right through this area is not lost on him, because the materials used to pave that road came from other parts of Mr. Nicholson's property in exactly the type of operation we're talking about here. The Snake River Canyon Byway Corporation did not oppose the enlargement or relocation of Map Rock Road, which was far greater in terms of potential damage to sites or items of potential cultural or historic significance. The proposed use is a very limited defined area that exists on private property. Staff's recommendation of approval to the P&Z Commission included several bases for why this should be approved. The only two changes that have happened since then are 1) the professional survey (draft copy) which found no items and found the likelihood of finding any items to be extremely low, and 2) the Snake River Canyon Scenic Byway Management Plan which cannot be considered. There has been no error alleged by the opponents with regard to the P&Z Commission's decision. They have not pointed to anything that didn't get considered by them that can be relied upon as law in making a decision. All of the opponents' comments, except those related to the professional survey that didn't find anything and the Snake River Canyon Scenic Byway Management Plan, was considered by the P&Z Commission in making its decision to approve the CUP. He appreciated the pictures submitted by Steve Givens, however, that's not anything that's being proposed here. The operation will not be cutting swaths up the talus slopes. This is a quasi-judicial function the Board is performing, it's not a political function or a popularity contest. They are to sit as unbiased judges. If the application meets the requirements of the zoning ordinance and complies with the comprehensive plan you must approve it even if you don't like the proposed use.

Josh Davis testified there's a substantial amount of testimony focused around what may or may not be present in this area and it's very important to distinguish that these items of significant impact may or may not be present. In an effort to be good stewards of the land they agreed at the P&Z Commission level to conduct an archaeological assessment of the property to determine what may or may not be present. They hired an independent third-party expert to conduct this analysis and there were no significant findings of cultural or historical items in this area. There are four talus pits that were recorded and also included was the recommendation about staying a certain distance away and not impacting them. Idaho Power did a significant study on the adjacent property resulting in very similar findings. Whether it's a construction of a new home, a driveway, or a subdivision every one of these impacts are ground disturbance and he doubts any of those projects required an archaeological assessment. They volunteered to do one to help determine what was on the

property. They are good stewards of the land and respect what's there and they are willing to put a plan together and bring in experts if there was a finding. Regarding concerns of truck traffic, the Idaho Power project is going to occur and it will generate in excess of 7,000 truckloads of material brought to the site, whether it comes from Granite's source or another source. What makes them competitive is having materials available closest to the project. It's a competitive advantage having numerous gravel sources in various areas to minimize the amount of haul to the project. In response to Commissioner White's questions about how to control runoff, Mr. Davis said they hire an engineer on projects that exceed one acre in size of ground disturbance to put together a storm water pollution and prevention plan and they do an analysis of if erosion were to take place where would the water flow and they list best management practices. Experts advise them on how to properly mitigate. Mr. Davis said the proposed timeline for the project is 30 years and they will do retail sales of the material.

Dusty Hibbard testified they are not allowed to dump water in the Snake River or other bodies of water. He explained how the dewatering system will work. During the crushing period they will dig to the bottom of the cut, set a dewatering pump and start dewatering. With the best management practices they will build separate settling ponds and that's where the silt will dissipate. They are working with Mr. Nicholson for using the water to irrigate his fields. At no point will the water, without very stringent permitting, be able to be dumped into the Snake River. The water has to stay on site.

Scott Nicholson, the landowner who lives on Ferry Road in Melba, said Idaho Power approached him as the landowner. He knew about the project above his property and he knew they were interested in this project and a few more. Idaho Power likes to work with local landowners to prevent truck traffic coming in because it takes so much material to do the projects. He knows nothing about extracting gravel but he does know Josh Davis personally and he knows he does very good work. The cost process is very expensive so they decided to do it for 30 years. The building is very low in that area and there will not be that much material which is why they have agreed to no more than 10 trips per day. For the Idaho Power project they would do 7,000 trips with the gravel that would never leave his property (for this one project.) There are over 35 projects on Idaho Power's board to make the river run faster. He estimates there will be 168,000 yards for the first project, and so if this request is denied that would result in a lot of trips down Map Rock Road and damage to the county roads. Idaho Power's project is scheduled for this year and they will proceed regardless of what gravel company does it.

Dave Cockrum reviewed the letter they submitted regarding requirements from ITD for state and federally funded projects. They have to have a CUP and the owner's permission in order to operate, an approved reclamation plan and a cultural resource clearance and environmental protection standards stipulation specifications. The contractor is responsible for damage or injury to property due to acts, omissions, neglect, or misconduct during work performance or due to defective work on materials. They have to comply with all local, state, federal, environmental and cultural resource laws, regulations and

ordinances. Work that is out of compliance immediately ceases noncompliance activities and takes corrective action, which talks about inadvertent discovery of cultural resources. They have to cease all work within 50 feet in all directions and call an archaeologist. If human remains are discovered they cease all work within 150 feet in all directions, notify the ITD engineer and cultural resource representative, photograph the area, do not disturb additional ground, do not move or cause the human remains to change position, etc. Granite Excavation will operate under the same set of rules no matter whether it's a state funded or a federally funded or a privately funded project. Idaho Power has the same regulations to follow and Granite would be under that wing as well. There are three gravel operations on the far west end of Map Rock Road that are historic. There's one on Nicholson's property and a cinder operation at the corner of Highway 45 and Map Rock Road that provided gravel for the road before it was a scenic byway. All scenic byways in Idaho have gravel operations associated with them. There is simply no way to do maintenance on scenic byways, highways, or interstate projects without gravel material sources. To import it from another area would mean the taxes would have to rise to pay the difference. There is a compatibility issue that has been brought out that he doesn't think exists. They are proposing to mine 10 acres, reclaim 10 acres and move on. On the gravel site it will be inactive more than is active and so it could fall into a use that would be compatible or not objectionable to the people who live there and also to the scenic byway guidelines. In response to questions from the Board, Mr. Cockrum spoke about the project phases. The bond is for the initial 15 acres. There are 135 acres that are proposed to be mined but it's mined in phases. The first phase is 15 acres, mined, reclaimed and moved to the next one. Each phase would have its own bond. The crusher will come in on a contract basis; they are asking for two phases up to four months out of the year but it would likely be less than that because of the amount of gravel they're going to use. They would mine, crush, then mobilize out of the area and they would haul the gravel out to a project. They like to crush just enough rock for the projects they know about and projects they might get. They would do enough for a year, haul the gravel away and then the crusher might come back in a year or six months. If they didn't get any projects it would just sit. It's not a day-to-day retail type operation. The riprap operation would be trucks only hauling riprap, they wouldn't be crossing back and forth. Riprap excavation will not happen near the talus pits because there is no reason to get anywhere near known archaeology sites. If a new archaeological site is found an archaeologist needs to look at it and make sure everybody is in the loop. They need a plan and they need to follow it.

Rebuttal testimony was offered by Dan Woodruff. Staff's recommendation was to accept the appeal and deny the request. He would rather have one season of trucks come by his place versus 30 years of truck trips. We don't have a lot of facts on what the Idaho Power projects are.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. The Board took a recess at 11:28 a.m. and went back on the record at 11:35 a.m. The Board's deliberation was as follows:

Commissioner Van Beek said this is one of the most well prepared comprehensive staff reports that has come across her desk. It's well organized and has cited all the reasons to uphold the appeal to deny the CUP. Staff has cited traffic issues with the scenic byway, and the historic resources, the wildlife resources, the incompatible land use, truck traffic, dust and water impacts, impacts to the scenic byway, historic resources, and the natural resources. They have agency comments from a number of people who are in strong opposition including the Snake River Canyon Scenic Byway Committee. The Tribal Council urges an assessment be done; a report has been submitted but there are so many mistakes in the report it impugns the validity of the report; it's inclusive and parts are not relevant to this decision. The credibility of Director Nicki Schwend's testimony outweighs any of the other objections. Commissioner Van Beek objects to the testimony that Chris Shaver provided where he indicated Dave Cockrum asked him to waive the requirements for that site; it undermines and impugns Mr. Cockrum's testimony and his credentials. Given the history of the Native American culture that's been presented that this is a sacred area of worship it should be protected and we should not allow this corridor to be decimated by a mining operation and she believes the appeal should be upheld the CUP should be denied. Commissioner White said Idaho Power is coming and it doesn't matter who the gravel company is. There will be 7,000 truckloads and none of them would leave the Nicholson property, but she has to look at the compatibility issue. Granite Excavation has five gravel pits so they know what they're doing and there is integrity with what they are doing. She appreciates the fact that this is an opportunity for Mr. Nicholson to get back everything out of his land that he's poured into it, but it comes at the expense of so many different walks of life. This is a sacred historical area. It's also a recreational area used for bicycling, horseback riding, and camping. It's an issue of compatibility for her.

Commissioner Dale said there is one overarching concern he has not been able to overcome and that is that this is a culturally rich historical area that has been recognized and is worthy of preservation. That being said there are also property rights that accrue to a private property owner that must be acknowledged. An important issue to consider when considering the cultural aspect is that the piece of property that's been described for gravel operation is not pristine, it's not intact, it's been worked for many years and it's not ever going to go back to the way it was before the farmers came. As has been testified on a piece of property that's been land levelled like that there is a small possibility there will be significant archaeological discoveries made on that property. If there are they are not going to be part of the story of that area because the context has been lost and context tells the story. He appreciates what Idaho Power is trying to do to the river and the efforts to restore the flow of that river are admirable and he hopes they are successful with it. He appreciates the fact that Idaho Power approached Mr. Nicholson to use his gravel, but he is not in favor of the application the way it is today. The gravel area on the farm ground is never going back to pristine condition. In his opinion the area that's been identified for riprap is fairly untouched and there's much more potential for archaeological discoveries there that still remain. It's an area that deserves more protection than a field that's been levelled for many

years. He proposes as a future application that we see an application that restricts the use of the gravel to the Idaho Power projects and allows Idaho Power to work out a deal with the landowner and the gravel company to use that gravel. He thinks we'd see far less impact on this entire area if the gravel comes from nearby sources right there along the river. That's what happened with the project last year and he would like to see it continue. He would like to see another application that would define how Idaho Power could access gravel along there and not be disturbing potential archaeological sites that are on the other side of Map Rock where the riprap is. He is not talking about just one project. Idaho Power has a lot of them and as they are looking at this river there are areas that need to be worked on and they are going to have need for more than just one project. This will have to be a new application because the present application is not going to pass muster today. He likes to give a way forward and the way forward is mine gravel from your ground for the Idaho Power project. It sounds like they're going to need a lot gravel for that and he'd rather it come from close sites to the river than travelling throughout the county to get there.

Commissioner Dale made a motion to approve the appeal. Commissioner Van Beek seconded the motion with the stipulation that we deny the conditional use permit as provided in the draft findings of fact, conclusions of law and order. The motion carried unanimously. The findings of fact, conclusions of law, and order will be signed on March 30, 2020 at 9:00 a.m. The hearing concluded at 12:00 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ADMINISTRATIVE DISTRICT JUDGE AND TCA TO DISCUSS GENERAL ISSUES

The Board met today at 1:32 p.m. with the Administrative District Judge and TCA to discuss general issues. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, TCA Doug Tyler and Deputy Clerk Jenen Ross. Judge Southworth is not feeling well today and will not be attending. Commissioner Dale said he's heard that the monitors out front are hard to understand, and that security has some suggestions that might make things easier. Mr. Tyler said his only concern is the work it could create for IT but he will talk with Judge Southworth and security about what they experience. Commissioner Van Beek asked if Mr. Tyler could bring to his next meeting statistics showing escapes and such. He said he will have Wes Musser, the Chief Marshal, attend next month. They have submitted their final budget request to the state for FY2022 and based on the numbers they are asking for 2 Magistrate Judges and 1 District Judge. Workload numbers are at the top but if they were to get the judges requested it would put the Magistrate caseload right at the state average and just above for District. Final decisions from the state should be received by the end of the summer and at that point Judge Southworth would ask the Board for a letter of support because the additional judges will require more support staff. Mr. Tyler recently met with Director Navarro about refreshing the courtrooms on the second floor and a plan has been drafted. He will also be speaking with Director Rast and Controller Wagoner about the renovations.

The court facilities fund will be used to pay for the refurbishing. The Domestic Violence court stakeholders recently met to explore what that court will look like and hope to have a better idea in the next couple of months. The courts have been exploring using Zoom software for hearings although the logistics and rules of using remote conferencing is still being explored. The meeting concluded at 1:48 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 10, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Caxton in the amount of \$1799.94 for the Prosecuting Attorney's Office
- Dell Marketing LLP in the amount of \$1698.01 for the Sheriff's Office
- Bob Barker in the amount of \$6679.15 for the Sheriff's Office

MEETING WITH THE DIRECTOR OF INFORMATION TECHNOLOGY TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 8:31 a.m. with the Director of IT to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, Director of IT Greg Rast and Deputy Clerk Jenen Ross. Director Rast updated the Board on the following:

At the request of Commissioner White, Director Rast reached out to Director Schwend about cameras at Celebration Park. In the next week or two he will meet up with her to do a walk-thru to evaluate the cameras and alarm system. He will also talk with her about display monitors for classroom overflow. Commissioner Van Beek asked about integration of a camera system in relation to the Triad report and an eventual Security Director. Director Rast said that there is a not enough bandwidth to be able to feed cameras back to the courthouse.

Director Rast believes that there is a void in the county for Microsoft Office training and thinks there may be a lot of savings in offering in-house training. He may look offering this twice a week all year long with an online scheduling tool. Commissioner Van Beek is very much in favor of the training and would like to attend. The Board is okay with the training moving forward.

There is a move in the public sector to move to .gov email addresses due to more security measures that are in place. This is an easy transition and only requires a signed letter from the Board and \$400 a year. The transition could be done over an extended period of time. Commissioner Van Beek is in favor of the change and Director Rast believes it may be a good discussion for an EO meeting. The other item he'd like to discuss is moving from a password to a passphrase.

Deloitte will be onsite tomorrow onsite for the Microsoft audit. Director Rast believes we are in compliance now, but they do go back 60 days and he's not entirely sure what that looks like. Once Deloitte completes their audit, they will provide it to Microsoft who has the final say; the entire process should be complete by March 30th. Director Rast spoke about the email archiving system he would like to include in his FY21 budget and potential new employee as an email administrator.

The fiber that was cut at DMV is in the process of being repaired. The problem is that the fiber was never registered with Digline which is why the expense is 100% on the county due to our failure. Now that he is aware of this error, Director Rast is going thru all the fiber to make sure it's all registered.

The meeting concluded at 9:00 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Chief Deputy Sheriff Marv Dashiell left at 9:06 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a resolution approving award of officer's badge and duty weapon to Lt. Ben Keyes: Chief Dashiell said that Lt. Keyes has been with the county for 38 years and will retire later this month. There will be a small in-house ceremony before he leaves and then he will be invited to the summer ceremony.

Consider signing a resolution approving award of officer's badge and duty weapon to Deputy Eric Miller: Chief Dashiell said Deputy Miller had 25 years with the agency and will also be invited to the summer retirement ceremony.

Commissioner Van Beek made a motion to sign the resolutions approving award of officer's badge and duty weapon to Lt. Keyes and Deputy Miller. The motion was seconded by Commissioner White and carried unanimously. See resolution nos. 20-025 and 20-026.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:07 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and attorney-client communication and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A Sam Laugheed, Deputy P.A. Mike Porter and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:35 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH DIRECTOR OF HUMAN RESOURCES TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:37 a.m. with the Human Resources Director to discuss general issues, set policy and give direction. Present were: Commissioners Pam White and Leslie Van Beek, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. Director Baumgart updated the Board on the following: The new admin/front desk person started Monday. A meeting will be held tomorrow for the Directors to give them a better understanding of the compensation plan. Director Baumgart sent an email to all the Directors regarding the supervisor training and the general feedback was to stay with the Ron Price training. Ms. Lisk at Price and Associates has indicated that a certificate can be issued upon completion of the training. Several availability dates have been provided by Price and Associates so Ms. Baumgart will work to coordinate the dates with the supervisors and directors. Director Baumgart has been reviewing the Security Director resumes and at the request of Commissioner Van Beek spoke about her review process. Ideally, responses would be to

applicants within a month of the job posting closing. The meeting concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTION APPLICATIONS

The Board met today at 10:02 a.m. with the Assessor's Office to consider various new and renewing property tax exemption applications. Present were: Commissioners Pam White and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Analyst Jennifer Loutzenhiser, Imaging Specialist Helena Thompson and Deputy Clerk Jenen Ross. The exemption applications were considered as follows:

50-2014

04591000 0 - Urban Renewal Agency of The City of Caldwell

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

63-602E

31537000 0 - Nampa Christian School Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

63-602E

00851000 0 - College of Idaho Inc.

03820000 0 - College of Idaho Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to reinstate the exemptions.

63-602E

13241000 – JDLA Properties LLC

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

63-602B

04513102 0 - Church of God Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

05061000 0 - Heritage Holiness Chapel Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

19438000 0 - ID Dist. United Pentecostal Church Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

05176000 0 - CP Reformed Church Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

21150000 0 - Buddhist Society of Idaho

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption on the house and one acre.

67274100 0 - Christ The King Community Church International

The Board requested the Assessor's Office tour the facility and bring more information back for a decision at a later time.

32595000 - First Church of the Nazarene

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to deny the exemption.

75396000 0 - Church of God of Prophecy

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to deny the exemption.

63-602C

30505204 0 - Idaho Fish and Wildlife Foundation Inc.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

63-602W

32759101 0 - Elevation 2500 Partners LLC

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemption.

50-2014

13415011 0 - Nampa Development Corp

13415000 0 - Nampa Development Corp

13335000 0 - Nampa Development Corporation

13333000 0 - Nampa Development Corporation

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant the exemptions.

63-602C

35091000 0 Advocates Against Family Violence Inc

13286000 0 American Legion Joseph H Murray Post 18
36736000 0 Arena Valley Park Assoc Inc
31312000 0 Boise Rescue Mission Inc
31328011 0 Boise Rescue Mission Inc
31304000 0 Boise Rescue Mission Inc
31305000 0 Boise Rescue Mission Inc
31328012 0 Boise Rescue Mission Inc
16835000 0 Boise Rescue Mission Inc
16862000 0 Breaking Chains Academy of Development
01114000 0 Caldwell Elks Home Assn
01113000 0 Caldwell Elks Home Assn Inc
04735000 0 Caldwell Model Railroad Club & Historical Society Inc
35141010 0 Caldwell Odd Fellow Lodge No 10
64941025 0 Canyon County Community Clinic
04770000 0 Canyon County Historical Society Inc
05087000 0 Canyon County Pet Haven Inc
16046000 0 Canyon County Pet Haven Inc
61111022 0 Community Council (DBA)
02530501D0 Community Council of Idaho Inc
02530502 0 Community Council of Idaho Inc
02530505 0 Community Council of Idaho Inc
27333105 0 Corp Of Presiding Bishop of Jesus Christ of LDS
27333106 0 Corp Of Presiding Bishop of Jesus Christ of LDS
64941254 0 Deseret Industries
14820000 0 Fleet Reserve Assoc Branch 382
14822000 0 Fleet Reserve Assoc Branch 382
61111007 0 Goodwill
61111004 0 Grace Place (The)
01801000 0 Grand Lodge of ID IOOF Inc
11805000 0 Hands of Hope Northwest Inc
11805010 0 Hands of Hope Northwest Inc
11805010A0 Hands of Hope Northwest Inc
67340100 0 Hispanic Cultural Center of Idaho
05779000 0 Idaho Chap Peo
29196000 0 Idaho Fish and Wildlife Foundation Inc
61111027 0 Idaho Youth Ranch
61111026 0 Idaho Youth Ranch
61111024 0 Idaho Youth Ranch
61111015 0 Idaho Youth Ranch
37785000 0 Idaho Youth Ranch Inc
37781011 0 Idaho Youth Ranch Inc
01147501 0 Idaho Youth Ranch Inc
01147500 0 Idaho Youth Ranch Inc
00855000 0 Lambda-Chi Chapter of Kappa Sigma House Corporation
15957000 0 Lifeline Crisis Pregnancy Center Inc
15954000 0 Lifeline Crisis Pregnancy Center Inc

11905200 0 Lifeways Inc
35790115 0 Lifeways Inc
01788000 0 Linc Living Independence Network Corp
33612000 0 Lizard Butte Easter Sunrise
31060011C1 Love Inc Of Treasure Valley
08640000 0 Nampa Aerie #2103 FOE
08670000 0 Nampa Aerie No 2103 FOE
08237000 0 Nampa Lodge #1389 BPOE
14442000 0 Nampa Valley Grange #131
31139000 0 Pacific Press Publishing Assoc
36402000 0 Pleasant Ridge Grange #135
13576000 0 Salvation Army
32548178 0 Salvation Army
04887000 0 Salvation Army The
13704000 0 Salvation Army The
15988584 0 Salvation Army The
67336800 0 Shep Rock Foundation
19896000 0 V F W Post 11065
67120114 0 Warhawk Air Museum Inc
67120113 0 Warhawk Air Museum Inc
67120154 0 Warhawk Air Museum Inc
67120000 0 Warhawk Air Museum Inc
67371501 0 Warhawk Air Museum Inc
67371500 0 Warhawk Air Museum Inc
67120154a0 Warhawk Air Museum Inc
35865012 0 Witco Inc
35865011 0 Witco Inc
35865010 0 Witco Inc
32109010b0 Witco Inc

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant exemptions to the 76 PINs as noted above.

63-602E

02287000 0 Building Hope Chicago Street Llc
32121000 0 Building Hope Iowa Avenue Llc
17885010 0 Building Hope Main Street Llc
36822011 0 Canyon Owyhee School Service Agency
31539000 0 Christian Schools Foundation Of Nampa Idaho Inc
07311000 0 College of Idaho
07314000 0 College of Idaho
00841000 0 College of Idaho Inc
00843000 0 College of Idaho Inc
00842000 0 College of Idaho Inc
00845000 0 College of Idaho Inc
03956000 0 College of Idaho Inc
03958000 0 College of Idaho Inc

03955000 0 College of Idaho Inc
07216000 0 College of Idaho-Campus
11504000 0 Evan Luth Zions Cong Of The
76062000 0 Greenleaf Friends Academy
36241010 0 Greenleaf Friends Church
35723012 0 Heritage Community Charter School Inc
13034012 0 Idaho Arts Charter School
08891000 0 Idaho Arts Charter School
08991000 0 Idaho Arts Charter School
08890000 0 Idaho Arts Charter School
08631000 0 Idaho Arts Charter School
08900000 0 Idaho Arts Charter School
08901000 0 Idaho Arts Charter School
13034013A0 Idaho Arts Charter School
13034011A0 Idaho Arts Charter School Inc
32716000 0 Idaho Conference of Seventh Day Adventists Inc
32717010 0 Idaho Conference of Seventh Day Adventists Inc
00925000 0 Idaho Conference of Seventh Day Adventists@@
29454010A0 Legacy Public Charter School Inc
29567011 0 Liberty Charter School Inc
31537010 0 Nampa Christian Sch Inc
31535010 0 Nampa Christian Schools
31533000 0 Nampa Christian Schools
31448010 0 Nampa Christian Schools Inc
11189000 0 Northwest Nazarene University Foundation Inc
11194013 0 Northwest Nazarene University Inc
11194014 0 Northwest Nazarene University Inc
11633000 0 Northwest Nazarene University Inc
13025112 0 Northwest Nazarene University Inc
11194000 0 Northwest Nazarene University Inc
11188000 0 Northwest Nazarene University Inc
11246000 0 Northwest Nazarene University Inc
11201000 0 Northwest Nazarene University Inc
30498011 0 RCG-Nampa LLC
35287105 0 Thomas Jefferson Charter School Inc
61111011 0 Treasure Valley Community College
29567011A0 Victory Charter School Inc
34320000 0 Vision Charter School Inc

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant exemptions to the 51 PINs as noted above.

63-602B

04865000 0 Antioch Miss Baptist Ch
12798000 0 Apostolic Assembly of Faith in Jesus Christ Inc
01143000 0 Apostolic Assembly of The Faith in Christ Jesus

01136000 0 Apostolic Assembly of The Faith in Christ Jesus
08807000 0 Apostolic Way Inc
28615014 0 Assemblies of God S ID Dist.
02016000 0 Assembly of God Ch Central Latin American Dist. Council
02653000 0 Assembly of God Ch of Ca
02657000 0 Assembly of God Ch of Ca
29233000 0 Bethel Ch Of the Nazarene
70230000 0 Bible Missionary Church of Greenleaf Idaho Inc
36165000 0 Bible Missionary Church of Greenleaf Inc
13441000 0 Bible Pentecostal Church Inc
13443000 0 Bible Pentecostal Church Inc
13439000 0 Bible Pentecostal Church Inc
01342000 0 Boone Memorial Presbyterian Church Inc
01353000 0 Boone Memorial Presbyterian Church Inc
01354000 0 Boone Memorial Presbyterian Church of Caldwell Idaho Inc
01341000 0 Boone Memorial Presbyterian Church of Caldwell Idaho Inc
17048000 0 Bowmont Ch Of the Brethren
17047000 0 Bowmont Ch Of the Brethren
35746000 0 Caldwell Free Methodist Church Inc
01772000 0 Calvary Chapel Caldwell Inc
19936000 0 Calvary Holiness Church Inc
04657000 0 Calvary Temple Inc
04656000 0 Calvary Temple Inc
17607033 0 Canyon County Church of Christ Inc
33946000 0 Canyon Springs Christian Church Inc
33945000 0 Canyon Springs Christian Church Inc
32510010 0 Centennial Baptist Ch Inc
02119000 0 Ch Of God of Prophecy
05096000 0 Ch of God of Prophecy Regional Office Inc
12514000 0 Ch of the Nazarene
12158000 0 Ch of the Nazarene
08575000 0 Ch of the Nazarene
08833000 0 Ch of the Nazarene
08573000 0 Ch of the Nazarene N Na Inc
32003000 0 Christian Faith Center Assembly of God Inc
35797000 0 Christian Faith Center Assembly of God Inc
35666000 0 Church of Christ Cald. Inc
19191000 0 Church of Christ of Parma Idaho Inc
20007000 0 Church of God
02157000 0 Church of God of Caldwell Inc
31478010 0 Church of God of Prophecy
17042000 0 Church of The Brethren
31440010a0 Church of The Brethren Inc
15502000 0 Church of The Living God Inc
11205000 0 College Ch of the Naz Inc
11200000 0 College Ch of the Nazarene

11204000 0 College Ch of the Nazarene
10993000 0 College Church of The Nazarene Inc
34324000 0 Corp of Pres Bis of the Church of Jesus Christ of LDS
25279000 0 Corp of Pres Bis of the Church of Jesus Christ of LDS
29411100 0 Corp of Presiding Bishop
29179000 0 Corp of Presiding Bishop
14926000 0 Corp of Presiding Bishop
34443011a0 Corp of Presiding Bishop Church of Jesus Christ of LDS
25279010 0 Corp of Presiding Bishop of
32900101 0 Corp of Presiding Bishop of
33400010 0 Corp of Presiding Bishop of Jesus Christ of LDS
33388000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33472000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33409000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33483000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33408000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33401000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33395010 0 Corp of Presiding Bishop of Jesus Christ of LDS
31065000 0 Corp of Presiding Bishop of Jesus Christ of LDS
34349100 0 Corp of Presiding Bishop of Jesus Christ of LDS
24709010 0 Corp of Presiding Bishop of Jesus Christ of LDS
30666011 0 Corp of Presiding Bishop of Jesus Christ of LDS
32041010 0 Corp of Presiding Bishop of Jesus Christ of LDS
23934019 0 Corp of Presiding Bishop of Jesus Christ of LDS
29336013a0 Corp of Presiding Bishop of Jesus Christ of LDS
04100010a0 Corp of Presiding Bishop of Jesus Christ of LDS
32400000 0 Corp of Presiding Bishop of Jesus Christ of LDS
32558010 0 Corp of Presiding Bishop of Jesus Christ of LDS
25279011 0 Corp of Presiding Bishop of Jesus Christ of LDS
34513011 0 Corp of Presiding Bishop of Jesus Christ of LDS
32566010 0 Corp of Presiding Bishop of Jesus Christ of LDS
16195000 0 Corp of Presiding Bishop of Jesus Christ of LDS
29729000 0 Corp of Presiding Bishop of Jesus Christ of LDS
04152000 0 Corp of Presiding Bishop of Jesus Christ of LDS
20155000 0 Corp of Presiding Bishop of Jesus Christ of LDS
00632000 0 Corp of Presiding Bishop of Jesus Christ of LDS
20157000 0 Corp of Presiding Bishop of Jesus Christ of LDS
00631000 0 Corp of Presiding Bishop of Jesus Christ of LDS
14096000 0 Corp of Presiding Bishop of Jesus Christ of LDS
38686011a0 Corp of Presiding Bishop of Jesus Christ of LDS
19148000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33912000 0 Corp of Presiding Bishop of Jesus Christ of LDS
08988000 0 Corp of Presiding Bishop of Jesus Christ of LDS
16101000 0 Corp of Presiding Bishop of Jesus Christ of LDS
28688000 0 Corp of Presiding Bishop of Jesus Christ of LDS
01369000 0 Corp of Presiding Bishop of Jesus Christ of LDS

01368000 0 Corp of Presiding Bishop of Jesus Christ of LDS
01367000 0 Corp of Presiding Bishop of Jesus Christ of LDS
01379000 0 Corp of Presiding Bishop of Jesus Christ of LDS
33945011 0 Corp of Presiding Bishop of Jesus Christ of LDS
34366201 0 Corp of Presiding Bishop of The Church of Jesus Christ Of Latter
32419253 0 Corp of Presiding Bishop-Church of Jesus Christ Of LDS
34356011 0 Corp of the Presiding Bishop of The Ch of Jesus Christ Of LDS
74415000 0 Crossroads Assembly of God
31793395 0 Crossroads Community Church
31793394 0 Crossroads Community Church Inc
31793399 0 Crossroads Community Church Inc
10954000 0 Evangelical Lutheran Zion Ch of Na
35080000 0 Evergreen Heights
03686000 0 Faith Evan Luth Ch of Cald
03684000 0 Faith Evan Luth Ch of Cald
30381000 0 Fellowship Baptist Church Inc
06161000 0 First Baptist Ch-Ca
18469000 0 First Baptist Church of Middleton
17769000 0 First Baptist Church of Middleton
17779000 0 First Baptist Church of Middleton
18857000 0 First Baptist Church of Notus Inc
38996000 0 First Baptist Church of Roswell
32596000 0 First Ch of the Nazarene
15436000 0 First Christian Ch
15441000 0 First Christian Ch-Na
15439000 0 First Christian Ch-Na
15437000 0 First Christian Ch-Na
27439000 0 First Christian Church of Caldwell DBA Caldwell Christian Church
27440000 0 First Christian Church of Caldwell DBA Caldwell Christian Church
07347000 0 First Church of Christ Scientist
13817000 0 First Church of The Nazarene
09845000 0 First Church of The Nazarene
13891000 0 First Church of The Nazarene
32007000 0 First Congregational Church United Church of Christ Nampa Inc @@
35436000 0 First Friends Church of Caldwell Inc
35389000 0 First Methodist Ch of Cald
35391000 0 First Methodist Ch of Cald
00485000 0 First Methodist Ch of Cald
19935000 0 First Methodist Epis Ch Wilder
18987000 0 First Presbyterian Ch
32186010 0 First Romanian Church Inc
24563000 0 First Southern Baptist Church of Caldwell Inc
29230010 0 First United Methodist Ch
78392000 0 First United Methodist Church
31971000 0 First United Presbyterian
31968000 0 First United Presbyterian

32918000 0 Followers of Christ
32923000 0 Followers of Christ Inc
34174000 0 Franklin Community Ch Inc
37021000 0 Free Holiness Church
37012000 0 Free Holiness Church
33158000 0 Free Methodist Church of North America
29261011 0 General Assembly and Church of The First Born Inc
19928000 0 Golden Gate Baptist Ch
08588000 0 Good News Community Church Inc
32001010a0 Grace Bible Church Inc
35616000 0 Grace Evangelical Lutheran
14656000 0 Grace Tabernacle Inc
11134000 0 Greater Life Church Inc
11133000 0 Greater Life Church Inc
28875000 0 Greenhurst Bible Church Inc
36242000 0 Greenleaf Friends Ch
36241000 0 Greenleaf Friends Ch
36264000 0 Greenleaf Friends Church
36263010 0 Greenleaf Friends Church
31454000 0 Harvest Life Ministries Inc
33715011 0 Homedale Church of Nazarene
17902114 0 Idaho Conference of Seventh Day Adventists
04001000 0 Idaho Conference of Seventh Day Adventists
24428010 0 Idaho Conference of Seventh Day Adventists Inc
05032000 0 Idaho Conference of Seventh Day Adventists Inc
19940000 0 Iglesia Evangelica Mexicana De Wilder Inc
13490010 0 Involve Church Inc
05799000 0 Jehovahs Witnesses Caldwell Idaho Inc Central Congregation
01112011 0 Jehovahs Witnesses Inc N Caldwell Congregation
26438000 0 Jehovahs Witnesses Inc Nampa East Congregation
26436000 0 Jehovahs Witnesses Nampa East Congregation
15216010 0 Jehovahs Witnesses Nampa Id Inc Lake Lowell Congregation
76061000 0 Karcher Church of The Nazarene Inc
31408000 0 Karcher Church of The Nazarene Inc
25266000 0 La Iglesia De Dios Inc
29578012 0 Lake Shore Dr Baptist Church Nampa
32096000 0 Lakeview Bible Church Inc
15234000 0 Lutheran Brethren Ch Na Inc
31355010 0 Maranatha Romanian Church of God No 10953
17544000 0 Melba Friends Church Limited
17537000 0 Melba Friends Church Ltd
16034010 0 Mennonite Church
32135000 0 Messiah Evangelical
73481000 0 Messiah Lutheran Church
17993000 0 Methodist Church
18689000 0 Middleton Ch of Naz Inc

30895000 0 Midland Congregation of Jehovahs Witnesses Nampa Id Inc
27472000 0 Midway Bible Missionary Ch
11081000 0 Nampa 1st Southern Bapt Ch
16765000 0 Nampa Ch of Christ
13034011 0 Nampa First Assembly of God of The City of Nampa Idaho Inc
14950550 0 Nampa First Church of The Nazarene
16270500 0 New Covenant Baptist Church
13530000 0 New Direction Inc
13570000 0 New Direction Inc
32097010 0 New Hope Baptist Church Inc
00087000 0 New Life Bible Fellowship Inc
07275000 0 Northwest Latin Conference of The International Pentecostal Holiness Church
02815545 0 NW District Bible Missionary Church
34536000 0 Oregon Trail Ch Of God Inc
19192000 0 Parma Ch of the Nazarene
19367000 0 Parma Miss Baptist Ch
02709000 0 Protestant Episc Ch Of Id
19565000 0 Revival Center Ch Inc
31460000 0 Rock of The Christian And Missionary Alliance Inc
61111002 0 Salt & Light Catholic Radio
35252000 0 Salt and Light Radio Inc
37691000 0 Sandhollow First Baptist
09492010a0 Southern Idaho Corp of Seventh Day Adventists
09492010 0 Southern Idaho Corp of Seventh Day Adventists
09491000 0 Southern Idaho Corp of Seventh Day Adventists
25909000 0 Southern Idaho Corp of Seventh Day Adventists
38837117 0 Southern Idaho Corp of Seventh Day Adventists
38837011a0 Southern Idaho Corp of Seventh Day Adventists
15216000 0 Southern Idaho District Council of the Assemblies of God
29542011a1 Southside Blvd Methodist
29527000 0 Southside Blvd Methodist
15459000 0 Sovereign Grace Fellowship of Nampa Inc
02033000 0 Spanish Assemblies of God Church Rosa De Saron
39122000 0 Sterry Memorial Presbyterian Church Inc
39089010 0 Sterry Memorial Presbyterian Church Inc
39123000 0 Sterry Memorial Presbyterian Church Inc
32273000 0 Sunnyridge Assembly of God
09006000 0 The Church of The Rock Inc
09013000 0 The Church of The Rock Inc
73546000 0 The Way Assembly of God Inc
03685000 0 Treasure Valley Christian
03683000 0 Treasure Valley Christian
03678010 0 Treasure Valley Christian
02759000 0 Treasure Valley Christian Center Inc
01414000 0 Treasure Valley Christian Center Inc
01413000 0 Treasure Valley Christian Center Inc

31999000 0 Trinity Evangelical Luth Ch
33003011a0 United Reform Church of Nampa
35133000 0 Valley Pentecostal Church Inc
22926000 0 Wat Idahophoxaiyaraam Inc
17999000 0 Way Assembly of God Inc
16040000 0 Wesleyan Holiness Ch of Na
78097000 0 Wesleyan Holiness Church
14990002 0 West Valley Baptist Church Inc
37097000 0 Wilder Assem of God Ch
04945000 0 Word of Truth Fellowship Inc

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to grant exemptions to the 243 PINs as noted above.

Copies of the exemption forms can be found on the Commissioners (O:) drive saved as file titled 'Tax exemptions 03.10.20'. The meeting concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 11, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman - out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Skyline Silversmiths, LLC in the amount of \$6179.00 for the Fair

APPROVED CLAIMS ORDER NO. 3/10/20

The Board of Commissioners approved payment of County claims in the amount of \$11,204.25, \$6475.91 for accounts payable.

APPROVED CLAIMS ORDER NO. 2012

The Board of Commissioners approved payment of County claims in the amount of \$1,741,100.43 for a County payroll.

RESCHEDULE PUBLIC HEARING – REQUEST BY HFC, LLP, FOR A CONDITIONAL REZONE, DEVELOPMENT AGREEMENT, CASE NO. RZ2019-0031

The Board met today at 10:01 a.m. to go on the record regarding the request by HFC, LLP, for a conditional rezone and development agreement for Case No. RZ2019-0031. Present were: Commissioners Pam White and Leslie Van Beek, Jim Decime, and Deputy Clerk Monica Reeves. There was a request to reschedule the hearing to a later date. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to reschedule the hearing to April 16, 2020 at 10:00 a.m. Jim Decime advised that he did not receive a hearing notice for this case. Staff will contact DSD and forward Mr. Decime's contact information to their office. The proceeding concluded at 10:04 a.m. An audio recording is on file in the Commissioner's Office.

LEGAL STAFF UPDATE

The Board met today at 10:10 a.m. for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, and Deputy Clerk Monica Reeves. Commissioner Van Beek wanted to discuss a tort claim that was filed by a former employee, and Mr. Blocksom advised that Sam Laugheed would be available to discuss it tomorrow. The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 12, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Deborah Ellis, John Brett Calhoun, Jessica Sweeney, Javier Guizar, Tim Syreen, Terry Srodawa, Megan Thomas, Keana Wininger and Brenda Stone.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Interstate Electric Supply in the amount of \$2990.29 for the Facilities department

- Cloverdale Nursery in the amount of \$7898.40 for the Facilities department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Plaza Garibaldi to be used 3/21/20 for a wedding.

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:46 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Hearing Manager Kellie George and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-0479, 2020-0475, 2020-0486, 2020-0467, 2020-0363, 2020-0482, 2020-0361, 2020-0457 and 2020-0477. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions within 30 days on the cases as read into the record.

Commissioner Van Beek made a motion to issue final approval with written decisions within 30 days on case nos. 2020-113, 2020-61, 2020-117 and 2020-149. The motion was seconded by Commissioner White and carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue case nos. 2020-154 and 2020-9 to April 9, 2020.

The meeting concluded at 8:49 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1344

The Board met today at 9:02 a.m. to conduct a medical indigency hearing for case no. 2019-1344. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Attorney Bryan Nickels for St. Alphonsus, Timothy Ryan for St. Alphonsus, Applicant and spouse and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to deny the case. The hearing concluded at 9:28 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2019-1321

The Board met today at 9:36 a.m. to conduct a medical indigency hearing for case no. 2019-1321. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Attorney Bryan Nickels for St. Alphonsus, Applicant and cousin, Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to continue the case to April 9, 2020. The hearing concluded at 9:44 a.m. An audio recording is on file in the Commissioners' Office.

MEDICAL INDIGENCY HEARING FOR CASE NO. 2020-145

The Board met today at 9:51 a.m. to conduct a medical indigency hearing for case no. 2020-145. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Dan Blocksom, Deputy P.A. Tyler Powers, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker, Timothy Ryan for St. Alphonsus, Applicant and Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to deny the case. The hearing concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT MATTERS

The Board met today at 10:08 a.m. to consider indigent matters. Present were: Commissioners Pam White and Leslie Van Beek, Hearing Manager Kellie George, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross. Neither the hospital nor the applicant appeared on case nos. 2020-238 and 2020-170. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue final denials on the cases as read into the record. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 10:12 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Brad Goodsell left at 10:28 a.m., Solid Waste Director David Loper left at 10:28 a.m., Chief Deputy P.A. Sam Laugheed arrived at 10:18 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing resolution approving and adopting updates to Pickles Butte Operation and Maintenance Manual: Mr. Goodsell said a legal notice was signed letting the public know about the updates to the manual and to submit any comments to Southwest District Health. At the completion of the review period SWDH sent a letter approving the manual and this resolution is to formally adopt the manual. At the request of Commissioner Van Beek Mr. Loper spoke about the revisions to the manual. He said the main revisions are

implementation of the new tarp cover, the ability to recycle clean sheetrock, acceptance of tire shreds from Total Disposal and Recycling to be buried and the method and methodology of controlling contaminated soil along with a couple other small items. Providing there are no other changes the manual will not have to be re-done for another 3 years.

In response to a question from Commissioner Van Beek, Director Loper spoke briefly about the water right permit.

Commissioner White made a motion to sign the resolution approving and adopting updates to the Pickles Butte Operation and Maintenance Manual. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 20-027).

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Note for the record: As properly noticed the Board met today at 10:12 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 10:30 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and attorney-client communication and communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:48 a.m. with no decision being called for in open session.

The meeting concluded at 10:49 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MARCH 2020 TERM
CALDWELL, IDAHO MARCH 13, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- AATronics in the amount of \$1067.50 for the Information Technology department

- Carousel Industries in the amount of \$36,970.64 for the Information Technology department

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:00 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Coroner Jennifer Crawford, Assessor Brian Stender, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley, Emergency Manager Christine Wendelsdorf, PIO Joe Decker, HR Director Sue Baumgart, CCAD Director Michael Stowell, Chief Juvenile Probation Officer Elda Catalano left at 9:03 a.m., Facilities Director Paul Navarro, Chief Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, Chief Deputy Treasurer Jennifer Mercado left at 9:05 a.m., SWDH Director Nikki Zogg and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing United Way of Treasurer Valley agreement to supply fiscal sponsorship to Canyon County Juvenile Probation Department for truancy prevention month "Kicking Truancy" community event: Ms. Catalano explained her department has been hosting this event for the past 5 years and for those years the United Way has served as the fiscal agent. She said that no money is actually touched by the county and all donations and purchases are done thru the United Way. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the agreement with the United Way to supply fiscal sponsorship to Canyon County Juvenile Probation Department for truancy prevention month "Kicking Truancy" community event (see agreement no. 20-040).

The Board entered into executive session at approximately 9:03 a.m. but it was brought to their attention that there was another action item to be considered. They briefly went back on the record at 9:04 a.m. to consider the following action item:

Consider signing Treasurer's tax charge adjustments by PIN for February 2020: Commissioner Van Beek asked Ms. Mercado about one account number and the difference between the 2018 and 2019 adjustments to which she explained is due to the way they were processed. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for February 2020. A copy of the report is on file with this day's minutes.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:00 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Coroner Jennifer Crawford, Assessor Brian Stender, Chief Deputy Sheriff Marv Dashiell, Deputy P.A. Zach Wesley, Emergency Manager Christine Wendelsdorf, PIO Joe Decker, HR Director Sue Baumgart, CCAD Director Michael Stowell, Facilities Director Paul Navarro, Chief Deputy P.A. Sam Laugheed, Clerk Chris Yamamoto, SWDH Director Nikki Zogg and Deputy Clerk Jenen Ross. The Executive Session concluded at 11:02 a.m.

An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 16, 2020

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- EWSCO Caldwell Branch 15 in the amount of \$1190.00 for the Juvenile Detention department

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Nicholas Edwards.

APPROVED CLAIMS ORDER NO. 3/16/20

The Board of Commissioners approved payment of County claims in the amount of \$25,730.47 and \$207,873.64 for accounts payable.

APPROVED CLAIMS ORDER NO. 3/25/20

The Board of Commissioners approved payment of County claims in the amount of \$108,698.14 for accounts payable.

APPROVED SEPTEMBER 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of September 2019 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

APPROVED OCTOBER 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of October 2019 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

APPROVED NOVEMBER 2019 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of November 2019 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:03 a.m. with county attorneys for a legal staff update. Mr. Laugheed noted for the record that the other agenda items scheduled for today would be rescheduled to a later date. There was then a request to go into executive session as follows:

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 9:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Dale. A roll call vote was taken on the motion with Commissioners Van Beek and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Dale left the meeting at 9:45 a.m. and participated by phone, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Coroner Jennifer Crawford, Treasurer Tracie Lloyd, Assessor Brian Stender, Chief Civil Deputy P.A. Sam Laughed, Chief Criminal Deputy P.A. Chris Topmiller, Deputy P.A. Mike Porter, Deputy P.A. Zach Wesley, Facilities Director Paul Navarro, Emergency Manager Kristine Wendelsdorf, PIO Joe Decker, Chief Deputy Sheriff Marv Dashiell, HR Director Sue Baumgart, IT Director Greg Rast, Controller Zach Wagoner, Director of Misdemeanor Probation Jeff Breach, Fleet Director Mark Tolman, DSD Director Tricia Nilsson, Chief Juvenile Probation Officer Elda Catalano, Director of Juvenile Detention Sean Brown, Public Defender Aaron Bazzoli, County Agent Jerry Neufeld, TCA Doug Tyler, Assistant TCA Benita Miller, Judge George Southworth, Judge Davis VanderVelde, Canyon County Ambulance District Director Michael Stowell, Director of Southwest District Health Nikki Zogg, Mayor of Middleton Steve Rule, Chief Deputy Sheriff Steve Rhodes, Caldwell Fire Chief Mark Wendelsdorf, Nampa Fire Chief Kirk Carpenter, Mayor of Nampa Debbie Kling, Caldwell Mayor Garrett Nancolas participated by phone, Nampa Police Chief Joe Huff, Emergency Manager for the City of Nampa, Emergency Manager for the City of Star, City of Melba Mayor Cory Dickard, Representatives for the City of Greenleaf and Deputy Clerk Jenen Ross. Not all participants were present for the entire session. The meeting was broken into several groups including Elected Officials, Department administrators and representatives from county municipalities. The Executive Session concluded at 11:55 a.m. After the meeting concluded there was a unilateral decision made by acting Chairman Dale to sign the emergency declaration and for the joint press release to be issued.

MEETING TO RESCHEDULE THE PUBLIC HEARING OF A REQUEST BY JAMES & SYLVIA BLAKE TO MODIFY A DEVELOPMENT AGREEMENT; CASE NO. DA2020-0001

Commissioner Van Beek went on the record at 1:32 p.m. to reschedule the public hearing of a request by James & Sylvia Blake to modify a development agreement, case no. DA2020-

0001 to March 30, 2020 at 1:30 p.m. The meeting concluded at 1:33 p.m. An audio recording in on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 17, 2020

PRESENT: Commissioner Pam White, Chair – out of the office
Commissioner Tom Dale, Vice Chairman – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held this day.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 18, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 4/18/20 for a wedding.

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 4/19/20 for a wedding.

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$6030.00 for the Information Technology department
- Boise Office Equipment in the amount of \$15,617.00 for the Information Technology department

APPROVED EMPLOYEE STATUS CHANGE FORM AND/OR KEY & SECURITY ACCESS REQUEST FORM

The Board approved a salary rate request and/or key & security access request form for Kenny Chase.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:03 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Dale participated by phone, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, PIO Joe Decker left at 9:17 a.m. rejoined at 9:37 a.m., IT Director Greg Rast left at 9:17 a.m., Planner Jennifer Almeida arrived at 9:19 a.m. and left at 9:37 a.m. and Deputy Clerk Jenen Ross.

Mr. Laugheed spoke about how he would like to see this time allotted regularly for the Board of Commissioners to address county business and the 1:30 meeting to be left for county officials to discuss COVID-19 updates and related issues. Mr. Decker explained that the public meeting room is set up for the 1:30 COVID-19 update meeting and wondered if it would be possible to close it to all other outside meetings for the time being. Mr. Laugheed believes direction from the Board to Director Navarro to close the meeting room should be sufficient. In the meeting yesterday there was no objection from the other Elected Officials of this action. It was unanimous amongst the Board to close the meeting room until further notice.

Director Rast said his department is receiving a lot of calls to the help desk about people wanting to work from home. He would like to have the DAs prioritize staff as to who can work from, in what capacity and what the need is as the county doesn't have the equipment or manpower for everyone to work from home. He is not comfortable with employees using personal computers to work from home due to too many logistics and safety concerns. In the future he would recommend that EOs and DAs have a pool of equipment available for situations like this. Commissioner Van Beek spoke about how she would like to see equipment usage needs be vetted thru IT and that she has concerns about things being purchased outside of the budget. Director Rast will draft the communication he'd like to send to the DAs for Board review and approval.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:19 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i). The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Tom Dale via teleconference, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Planner Jennifer Almeida and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:37 a.m.

At the conclusion of the executive session the following items were discussed:

Consider signing findings of fact, conclusions of law & order for the appeal by Trent White for a variance; Case No. ZV2019-0001: Commissioner White made a motion to sign the findings of fact, conclusions of law & order for the appeal by Trent White for a variance; Case no. ZV2019-0001. The motion was seconded by Commissioner Dale. The motion carried in a 2-to-1 vote with Commissioner Van Beek voting in opposition.

Mr. Decker said he received a message from Kevin Miller at KBOI wondering if someone would like to be on the radio to discuss COVID-19 and the county response. Mr. Laugheed believes this would be a good discussion item for the elected officials' meeting this afternoon. Commissioner Van Beek made a motion to continue this meeting to 1:30 this afternoon. The motion was seconded by Commissioner White and carried unanimously.

This portion of the meeting concluded at 9:43 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:30 p.m. for a continuation of the meeting with county attorneys for a legal staff update. A request was made to go into executive session as follows:

EXECUTIVE SESSION - RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 1:30 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie

Van Beek, Commissioner Tom Dale participated via teleconference beginning at 1:33 p.m., Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Sheriff Kieran Donahue, Clerk Chris Yamamoto left at 2:53 p.m., Coroner Jennifer Crawford, Assessor Brian Stender, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Emergency Manager Christine Wendelsdorf arrived at 1:50 p.m. and Deputy Clerk Jenen Ross. The Executive Session concluded at 2:55 p.m. with no decision being called for in open session.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 19, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Down Right Drilling and Pump Inc. in the amount of \$2300.00 for the Solid Waste department

MEETING TO CONSIDER INDIGENT DECISIONS

The Board met today at 8:49 a.m. to consider indigent decisions. Present were: Commissioners Pam White and Leslie Van Beek, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

The following cases do not meet the eligibility criteria for county assistance: 2020-0492, 2020-0505, 2020-0391, 2020-0480, 2020-0493, 2020-0506, 2020-0508, 2020-0488, 2020-0487, 2020-610 and 2020-0587. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue initial denials with written decisions to be issued within 30 days on the cases as read into the record. *After the meeting Director Baker notified Board staff that case no. 2020-0391 should not have been included as an initial denial. This will be addressed in the legal staff update at 9:00 a.m.*

Commissioner Van Beek made a motion to approve case no. 2020-0568 for cremation. The motion was seconded by Commissioner White and carried unanimously.

The meeting concluded at 8:50 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEM

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale participated via teleconference, Sheriff Kieran Donahue, PIO Joe Decker, Emergency Manager Christine Wendelsdorf, Rachel Spacek for the Idaho Press and Deputy Clerk Jenen Ross. The action items was considered as follows:

Consider extension of and ratification of the March 16, 2020 Local Disaster Emergency Declaration *COVID-19*: Commissioner White noted that on Monday the 16th it was decided that a 7-day emergency declaration would be issued and then meet today to extend it for another 30-days. Commissioner Dale believes this emergency situation is going to last much longer than the 7 days and thinks it's very appropriate at this time to ratify the March 16, 2020 Local Disaster Emergency Declaration and extent it to 30 days. The motion was seconded by Commissioner Van Beek. Mr. Decker added that when he communicated with the media they indicated that the 7-day declaration could be extended for a 30-day period by full motion of the Board. This declaration will expire 30 days from today which will be April 18th. An additional meeting will be scheduled sometime in the week prior to expiration to extend the declaration if necessary. Sheriff Donahue said he concurs with the approach being taken by the Board. He believes we are just at the beginning of this and thinks 30 days is appropriate but we may find it needs to be extended after the 30 days. The motion carried in a unanimous vote. Commissioner Dale authorized the use of his signature stamp on the declaration and authorized the use of his signature stamp on any future documents he votes on while he is participating via teleconference.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:10 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:10 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) records exempt from public disclosure and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Dale participated via teleconference, Sheriff Kieran Donahue, Emergency Manager

Christine Wendelsdorf and Deputy Clerk Jenen Ross. The Executive Session concluded at 9:51 a.m. with no decision being called for in open session.

The Board went back on the record at 9:53 a.m. to make a correction to an earlier indigent decision and to continue the legal staff update.

Director Baker contacted Board staff after the meeting to consider indigent decisions stating that case no. 2020-0391 should not have been included in the initial denials at this time.

Commissioner Van Beek made a motion to remove the case from denial and reinstate it to pending status. The motion was seconded by Commissioner White and carried unanimously.

Commissioner White made a motion to continue the legal staff update to 1:30 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 9:54 a.m. An audio record of the open portion of the meeting is on file in the Commissioners' Office.

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:34 p.m. for a continuation of the meeting with county attorneys for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek
Commissioner Dale participated via conference call, Clerk Chris Yamamoto, Sheriff Kieran Donahue, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Assessor Brian Stender participated via conference call, Emergency Manager Christine Wendelsdorf, PIO Joe Decker, Director of Southwest District Health Nikki Zogg, Caldwell Mayor Garrett Nancolas, Nampa Mayor Debbie Kling, City of Nampa Communications Manager Amy Bowman, Melba Mayor Cory Dickard, Greenleaf Mayor Brad Holton, Heidi Novich from the Idaho Office of Emergency Management (IOEM) and Deputy Clerk Jenen Ross.

Sheriff Donahue spoke about a letter that was signed by the Board and Sheriff this morning and delivered to the City of Caldwell regarding Pod 6 and that command staff will make the decision on the best use of the facility at this time – it may not necessarily be females only.

A discussion was had about the importance of the confidentiality of executive sessions and how an executive session among the elected officials is a time for everyone to speak freely without fear of repercussions.

Sheriff Donahue said that for now the SILD program is on hold. Additionally, the work release program is being modified. The Sheriff's Office has been working with the Prosecutor's Office and judges to come up with solutions in limiting exposure.

Commissioner Dale said that he received a call from Mayor Nancolas just a bit ago and the temporary Certificate of Occupancy for Pod 6 has been approved and Mr. Britton is on his way to pick it up.

At approximately 2:00 p.m. Mayors, city and health department representatives joined the meeting. The following topics were discussed:

Ms. Wendelsdorf spoke about an email that was forward to everyone regarding a reimbursement that came from Governor Little. She reiterated that each city is responsible for the expenses upfront before they can be reimbursed. All expenses need to be tracked and then turned into the county. If there are any agencies that need PPE, she asked that all requests be forwarded to her and she can get it routed in order to hopefully get that equipment. She will also be forwarding an email from IOEM regarding reimbursable labor costs. Michael Stowell has been designated as her delegate for the Ada County meetings; he will participate in those meetings and pass the information to Ms. Wendelsdorf who will in turn relay it out to city officials. She will forward any meeting invites for this meeting to the city officials and indicated they are welcome to participate, however, those meetings may conflict with this meeting.

Mr. Decker said he is trying to keep up with the various closures and impacts to the public on the county website. The motor vehicle side of the DMV is closed to the public, but the office remains staffed; passports are no longer being issued unless it's an emergency situation. Yesterday a question was received about a hotline being set up as some other agencies have done but since county offices are still staffed there really hasn't been a need. He has been working with the language access office to get some of the notifications translated into Spanish to assist the Latino community; the county website is already set up to toggle between English and Spanish.

Sheriff Donahue said that some modifications have been made at the driver's license office – they are working to accommodate those in need of the commercial driver's license as ITD did not exempt this license as they did with other licenses. They have set up a tiered system at the door where they are only allowing in 4-8 people at a time. The Sheriff's Office is also mandated to do sex offender registry which is also done at driver's license, so those people are also being accommodated.

Prosecutor Taylor said he's been in contact with Chiefs of Police in each city in an effort to keep up with the orders of the Supreme Court. Canyon County courts are coming to a slowdown, the two primary court proceedings that are taking place right now are in-custody arraignments, so those individuals that were arrested within the last few days, as well as those that are currently in custody and have constitutional hearings. All trials that they've seen on the calendar have been pushed back to at least April 10th or until the Supreme Court instructs otherwise.

Sheriff Donahue spoke about how the county has essential services that cannot shut down, court being one of those. He said they are in constant communication with the Director of the Idaho Department of Corrections looking at how inmates from the prison are transported or not transported for court – they are also working on ways to streamline and at the same time continue to protect people’s rights.

Ms. Zogg said the demand on their organization has increased exponentially over the last few days, so they are expanding from a pretty narrow incident command structure to a broader 6 county area command. A point person in each county has been identified to work directly with Ms. Zogg on policy level, higher level decision making, and then a liaison PIO and health/safety officer as well as legal counsel to help guide any decisions of that group and help streamline communications. They are also in the process of discontinuing non-essential services and shifting staff time and resources into this event. They anticipate an increase in monitoring so although there are no confirmed cases in the district at this time they do have contact of cases in other places in Idaho as well as repatriated persons and people coming from cruise ships that are still under quarantine being monitored. They have a responsibility to monitor each of those individuals for 14 days so they are moving staff around to those areas to help support that. They have a call center set up which has been primarily run by volunteers, however, many of those volunteers are in the vulnerable class and have chosen to stay home. Last week there was discussion about setting up a testing site at the facility in Caldwell and the logistics of that. In the meantime, Saltzer Medical in Nampa opened a testing site so SWDH reached out to them in an order to not duplicate efforts and asked if there was a way to partner. Saltzer indicated that they would love to have additional support, so they are looking at the critical staffing they have on site now in order to add an additional lane to the testing at Saltzer Medical. If additional sites in the Valley are needed, they are hoping they can learn from what is being done at the Saltzer location. They are taking a lot of requests for PPE and working to elevate them thru their channels. Most medical equipment is coming thru the EOM to the health districts and then up thru the state. There is a strategic stockpile that has been received and they are waiting to receive guidance this afternoon on how to request the supplies and then they will be notified of the prioritization tiers and how they fit into that. They are fielding a lot of calls from schools, local businesses and government looking for guidance and support on different things they are facing.

Treasurer Lloyd said that on the financial side she had an inquiry from one of the major taxing services asking if the June 20th deadline was going to be extended. At this time, she has said the answer is no. They have also had multiple inquiries from buyers concerned that they may not be able to make their payments. She looked at where we’re at county-wise and at this time we are over 50% collected. She wanted everyone to be aware, these are things that could potentially impact funding or disbursements that happen in July.

Commissioner White asked about the shortage in blood supplies. Ms. Zogg said she has heard something similar but doesn't know the specifics.

Clerk Yamamoto said this has impacted elections; there has been some talk about delaying the May primary by one month. They can consolidate election polling places and are looking to have an all out push for absentee voting. There will still be an election day however they don't have a polling place at this time. Mr. Yamamoto asked Mayor Nancolas and Mayor Kling if there is possibly of using the O'Connor Fieldhouse and the Nampa Civic Center. Mayor Nancolas said that something could be worked out to use the O'Connor Fieldhouse as one of the consolidated election sites. Currently it is closed for events, but the city would work with the county for an election. Mayor Nancolas feels the number of people allowed in at one time could be limited and there is plenty of room to allow for social distancing. He said the city will do anything they can to help and will make it available at no charge to the county. Mayor Kling said this was talked about some time ago and believes there are still some details to be worked out. She suggested that a more detailed conversation take place with Andrew Luther with Spectra as they are the company that manages the Civic Center but that the city is open to continuing those discussions. Clerk Yamamoto said they are considering full use of the facility since they are looking at only 2 locations for the entire county. There has not yet been a final determination on early voting but at this point he is considering no early voting in Canyon County but more promotion of absentee voting as both early voting and election day voting will present their own issues. While the Clerk was speaking with the Mayors, Sheriff Donahue spoke with Commissioners White and Van Beek who both agree that the county Facilities team may be utilized to help with cleaning of both facilities. Commissioner Dale concurred with this decision.

Sheriff Donahue said they are in constant contact with all the Chiefs of Police throughout the county and had a good meeting the other day. All law enforcement is on the same page in trying to limit the calls that are minor. They are using discretion and social distancing to the best of their ability. In all jurisdictions they are continuing to respond to in-progress calls. Mayor Nancolas spoke of his appreciation of the communication and the response of everyone including Ms. Zogg and Ms. Wendelsdorf. He let everyone know that the City is willing to help the County wherever possible.

Mayor Kling echoed Mayor Nancolas sentiments. The City of Nampa has engaged their Emergency Incident Management Team. The decision has been made to close the Civic Center and the Idaho Center thru April 15th and will be extended as necessary. She has had discussions about the closure of restaurants and supports the Governor's decision in not mandating that. She is going to watch what the City of Boise does and if they do act how that will go.

Sheriff Donahue thinks it's extremely important for business to do what they can to stay open. He said there have been many conversations about keeping this machine running in

order to prevent financial collapse of this country. He noted that the Commissioners extended the emergency declaration for another 30 days this morning. The Coroner is keeping in contact with the Sheriff and has a protocol in place. She is continuing to work closely with first responders and keeping them informed of unattended deaths or other situations they encounter.

Mayor Dickard said they received an email from their lawyer suggesting that they come up with a Board of Health for the City of Melba and wondered if this is something SWDH can help with. Ms. Zogg said SWDH serves all citizens within the county and asked the City of Melba to reach out to them to answer any questions. She said they do all the licensing for the food establishments and currently the recommendation has been not to close and encouraging them to adopt practices to keep both employees and patrons safe. Although there may be community spread in Blaine County there hasn't been in Canyon County and it is relatively safe.

Mayor Holton said they have some major land use cases coming and trying to work thru those while also complying with public meeting laws and social distancing recommendations. Mr. Decker said that he recently received an email from the Governor's office regarding open meeting laws, noting that what he briefly read he believes that only one member of the governing body has to be present and the others may teleconference or videoconference in. Mayor Holton said the only problem they have with that is that they are an older community and not necessarily as tech-savvy; they generally like to appear in person or submit testimony by letter. He will keep the county informed of how they decided to handle the situation.

Ms. Novich spoke to Commissioner White's earlier question about a blood shortage saying there was a press release from the Governor on the 19th regarding the need for blood. She spoke about the Small Business Administration low interest rate loans that can go out to businesses and individuals and that they are trying to obtain enough applications to get the declaration. There have been some misunderstandings and rumors that if a business shuts down completely vs. partially, they will be more eligible for an SBA loan or any FEMA assistance that may come along in the future. She clarified that this is not what eligibility is based on, it is based on the economics and what's been lost. If FEMA were to find out a business closed for the economic loss, they may be hesitant to help that business. She suggested the best thing to do is to track everything and as they move along and get closer to recovery, they will be able to give more information about what is eligible on both the State and Federal sides. She said the State Office of Emergency Management and the State Health and Welfare Office have combined and will be located at the Idaho Office of Emergency Management in an effort to streamline. As a state, requisitions are being put in thru FEMA and the Department of Health and Human Services to try locating PPE. Mayor Kling said she was on a call with the White House yesterday and heard that they have put in big orders for PPE and will be distributing them to the states. She feels that whoever is

working with the State find out what we can access and when. They also said that the food supply chain is in good shape nationally, we have a very stable food supply chain but there has just been a run on items at local stores.

Prosecutor Taylor said he just received the administrative order of who can and cannot come into the courthouse and will have Mr. Decker forward it to all the elected officials.

Sheriff Donahue and Ms. Wendelsdorf said the ICS form 214 will be used to track expenses for reimbursement and reminded everyone to hang on to everything to be turned into Ms. Wendelsdorf at the end.

Sheriff Donahue expressed his concern for senior citizens in getting into the stores and the availability of products. Mayor Nancolas said his understanding is that stores are taking this into their own hands and setting special hours for seniors along with limiting purchase quantities. Ms. Novich said that at the state level they have a person assigned to mass care along with a public/private partnership person who are working these kinds of issues along with schools providing meals and some of the logistical questions of the rural communities. Mr. Decker offered the county's NextDoor account if any of the cities need help getting out mass messaging.

A brief discussion was had about an email from the IAC sent to Clerks and Commissioners about a Telehealth Taskforce.

Sheriff Donahue made a motion to adjourn the meeting. The motion was seconded by Clerk Yamamoto and carried unanimously. The meeting concluded at 3:02 p.m. An audio recording is available in the Commissioners' Office.

MEETING TO REQUEST AMENDMENT TO THE AGENDA – CANVASSING ELECTION RESULTS

The Board met today at 3:41 p.m. at the request of the Prosecutor's Office to consider amending the agenda for a meeting this afternoon. Present were: Commissioners Pam White and Leslie Van Beek, Deputy P.A. Mike Porter, and Deputy Clerk Monica Reeves. Mike Porter said there has been a lot going on this week and something has slipped through the cracks which requires attention. A primary election was held last week and the statute requires that canvassing be done in seven days, and today is day seven. The canvassing was calendared for tomorrow. Staff in the Elections Office is prepared to do the canvassing today and so he would like the Board to put that matter on its agenda for today at 4:00 p.m. No one has asked to be notified of changes to the Board's agenda. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to amend the meeting today at 4:00 p.m. in order to meet the requirements for canvassing the primary election. The Board's agenda will be updated to reflect the additional meeting at 4:00 p.m. The meeting concluded at 3:43 p.m. An audio recording is on file in the Commissioners' Office.

AGENDA AMENDMENT: CANVASS MARCH 10, 2020 ELECTION RESULTS

The Board met today at 4:03 p.m. to canvass the March 10, 2020 election results. Present were: Commissioners Pam White and Leslie Van Beek, Haley Hicks and Kylie Marks from the Elections Office, and Deputy Clerk Monica Reeves. The Board reviewed the information submitted by the Elections Office. The signed documentation is on file with this day's minute entry. The meeting concluded at 4:09 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM CALDWELL, IDAHO MARCH 20, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- Mountain Home Auto Ranch in the amount of \$105,330.00 for the Fleet department

MEETING WITH COUNTY ATTORNEYS FOR LEGAL STAFF UPDATE AND TO CONSIDER ACTION ITEMS

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale via teleconference, Deputy P.A. Zach Wesley, Director of DSD Tricia Nilsson, Planner Kate Dahl, Planner Dan Lister left at 9:06 a.m., TJ Wellard left at 9:07 a.m. and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing final plat for Linfield Estates Subdivision; Case No. SD2019-0049: Staff provided an email summary and said that all requirements have been met and that the final plat is ready to be signed. Commissioner White made a motion to sign the final plat for Linfield Estates Subdivision, case no. SD2019-0049. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider signing Canyon County's Memorandum of Understanding with Wilder for Rural Community Planning: Zach Wesley explained this was born from the county's desire to assist the smaller communities with some planning and believes it will be a benefit to the stakeholders. There is a cap in the number hours and an 'out' if it is not financially beneficial to either the county or the city. Ms. Dahl gave a brief overview of the scope of what the City of Wilder is looking for with this MOU. Upon the motion of Commissioner Van Beek and

second by Commissioner Dale the Board voted unanimously to sign the MOU with Wilder for Rural Community Planning (see agreement no. 20-041).

A brief discussion ensued regarding changing the dates of the impact fee meetings. There was Board consensus to change the meeting dates which Director Nilsson will work on.

Commissioner Dale made a motion to continue the legal staff update to 1:30 this afternoon. The motion was seconded by Commissioner Van Beek and carried unanimously.

This portion of the meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:36 p.m. for the continuation of the meeting with county attorneys for a legal staff update. Present were: Commissioners Pam White and Leslie Van Beek, Commissioner Tom Dale via teleconference, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, PIO Joe Decker, Emergency Operations Manager Christine Wendelsdorf, Prosecutor Bryan Taylor via teleconference, Sheriff Kieran Donahue, Assessor Brian Stender and Deputy Clerk Jenen Ross. The following items were discussed:

Ms. Wendelsdorf said that Caldwell Fire had a possible exposure today. They contacted SWDH and are taking appropriate measures. College of Idaho has evacuated most of the dorms except for international students although they have been consolidated into a couple of dorms and one dorm building has been kept open if it's needed for quarantine. She is continuing to receive requests for PPE.

Mr. Decker notified everyone that the Ada County Courthouse had been evacuated earlier today due to a possible exposure. The Landfill is no longer accepting cash payments. The Records' office will begin issuing marriage licenses to Canyon County residents only.

Clerk Yamamoto said that elections are still kind of up in the air; the May election may be moved to June. Commissioner Dale asked if the moving of elections is a legislative decision or if it's something the Governor can decide. Mr. Yamamoto's understanding is that the Attorney General is looking into the emergency powers of the Governor.

Coroner Crawford said she is awaiting the results of a test done yesterday.

Treasurer Lloyd has questions about what to do if/when an employee tests positive to mitigate the exposure to other employees. Ms. Wendelsdorf spoke about the things that can be done in preventing the spread of the virus. Commissioner White asked what to do if there is someone with a compromised immune system. Ms. Wendelsdorf said that really comes down to the decision of each elected official. Sheriff Donahue said he believes there is probably a meeting coming between the elected officials as to what to do but for now if they

have someone in their office with a compromised immune system they are asking that those people work from home if they can. Ms. Lloyd spoke about employees with compromised systems and having to adjust work duties and how that falls into another issue with HR. Commissioner Van Beek said that the HR department sent out an email this morning to Board employees that there would be a pay line noted as 'COVID-19' and that the details could be worked out later. She feels that the Board's directors are doing a good job of managing and reporting back to the Board on how they are handling things. Sheriff Donahue said the financial and payroll aspects need to be addressed further and asked for everyone's input on the subject. Prosecutor Taylor spoke about how the federal government is adapting on the fly with regards to different accommodations – the number one being that we have to keep a workforce for the economy component. He feels that in the interim employees can just be told that their job duties are being changed, they have the ability as elected officials to do that. He does agree that there needs to be a unified approach on how to handle the situation. Commissioner Dale concurs with Prosecutor Taylor and believes they have a really good outline laid out by Director Baumgart. Clerk Yamamoto agrees there needs to be a conversation about the "at risk" employee. His initial thoughts are that those people that are at home whether they are sick or sent home should be using sick and vacation time. If we do anything where people are paid to stay home he thinks the county might be starting something they wish they hadn't started. Sheriff Donahue reiterated Mr. Taylor's point in that we need to see what the federal government is doing as it's changing rapidly. Commissioner Van Beek provided support for Clerk Yamamoto's statement saying that everyone is having to sacrifice, the taxpayers are having to sacrifice and she thinks that is a reasonable expectation. Mr. Taylor said that with Blaine County now becoming a community spread area it's likely that there will be an order issued forcing people to stay home. Sheriff Donahue expects that there will be mandates handed down by the government which will take the conversations out of the hands of elected officials. Commissioner Van Beek made a motion to continue to Monday, March 23rd for legal staff to discuss the financial portion of this. Sheriff Donahue submitted a request to modify the motion that we are going to take up the discussion regarding wages and salaries for our workforce following the 9:00 legal update. Commissioner Van Beek supported that modification. Bryan Tyler said that due to the legal nuances he hopes that legal will be up and ready by 9:00 in the morning to have that conversation with what transpires over the weekend. Commissioner Van Beek withdrew the motion and made a new motion that we continue the discussion for the financial portion of this to the 1:30 meeting on Monday, March 23rd. The motion was seconded by Clerk Yamamoto. The Sheriff reiterated the motion stating that Commissioner Van Beek made a motion to postpone this discussion until the 1:30 meeting on Monday the 23rd and that it was seconded by Clerk Yamamoto and confirmed that the Clerk is fine with the postponement word being included in the motion. There was no further discussion and the motion carried in a unanimous vote.

Assessor Stender said that his portion of the DMV office is still closed to walk-in traffic although they are still open to phone calls and online/mail-in renewals. PTR applications are

APPROVED CLAIMS ORDER NO. 3/25/20

The Board of Commissioners approved payment of County claims in the amount of \$74,009.81, \$12,511.96, \$53,412.65, \$102,137.46, \$415,653.47, \$52,633.97, \$60,189.93, \$31,221.45, \$154,708.21 for accounts payable.

COMMISSIONERS OFFICE STAFF MEETING

The Board met today at 8:37 a.m. for an office staff meeting. Present were: Commissioner Leslie Van Beek, Commissioner Tom Dale by phone and Deputy Clerks Jamie Miller and Jenen Ross. The Board reviewed this week's schedule with staff. The meeting concluded at 8:44 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:01 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioner Van Beek, Commissioner Tom Dale by phone, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike porter, Facilities Director Paul Navarro left at 9:07 a.m., PIO Joe Decker, Deputy P.A. Zach Wesley arrived at 9:04 a.m. and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Amendment No. 1 to Canyon County agreement with Cole Architects 19-127: Director Navarro said that the original contract had a not-to-exceed amount of \$2.1M which was the money from the sale of the Hwy 20/26 property and tilling monies that had been set aside; the A&E fees were commensurate with that size of project. The project has changed in size and scope and is now a \$4.9M building so the A&E fees need to be increased to match that scope of work. The contract would move from approximately \$140K to \$350K, Mr. Navarro said the standard is 7% so this fee is in line. Mr. Wesley said the contract follows the original terms of the agreement, the only real changes are to the scope of work and thus to the total contract price. There are no work orders allowed and contractors are not allowed to dictate changes to the project; changes require a mutually executed agreement. Director Navarro anticipates receiving final design sets by the end of June or early July and expects they could break ground in August. Upon the motion of Commissioner Van Beek and second by Commissioner Dale the Board voted unanimously to sign amendment no. 1 to Canyon County agreement with Cole Architects 19-127 (see agreement no. 20-042).

A discussion was had about an MOU with the DOJ that is scheduled for consideration tomorrow. Commissioner Van Beek has not had a chance to review the document yet and it was decided attorney-client communication would continue via email so that everyone is able to receive the same information. Mr. Porter said that the MOU lays out how elections will be handled for the next 3 years so there is a lot of onus on the Clerk and his elections staff in regard to voting, finding proper locations and making sure that those locations are as ADA compliant as possible. Commissioner Dale said he would like to hear from the Clerk who is invited to tomorrow's meeting.

Upon the motion of Commissioner Dale and second by Commissioner Van Beek the Board voted unanimously to continue the meeting to 1:30 today. This portion of the meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:35 p.m. for the continuation of the meeting with county attorneys for a legal staff update. Present were: Commissioner Leslie Van Beek, Commissioners Pam White and Tom Dale via teleconference, Sheriff Kieran Donahue, Clerk Chris Yamamoto, Assessor Brian Stender, Treasurer Tracie Lloyd, Prosecutor Bryan Taylor, Chief Deputy P.A. Sam Laugheed, PIO Joe Decker, Emergency Operations Manager Christine Wendelsdorf, Notus Mayor Porterfield via teleconference left at 2:30 p.m., Director of SWDH Nikki Zogg arrived at 1:40 p.m. and Deputy Clerk Jenen Ross.

The following topics were discussed regarding the COVID-19 virus:

Sheriff Donahue said that there was an exposure at a Middleton middle school by a teacher from Ada County who is currently in the hospital. The Sheriff reached out to Mayor Rule and SWDH is working with the school district as to how many people were exposed. Mayor Rule said he is going to shut down the skate park in an effort to reduce exposure. Ms. Zogg said everyone in the school that had exposure has been contacted and are under daily monitoring. In response to a question by Treasurer Lloyd, Ms. Zogg reviewed some of the early symptoms which include a fever of greater than 100.4, cough and shortness of breath. She also said that some people have reported loss of smell or taste so those could be early signs. Mr. Laugheed noted the success of the coordinated effort between the school district, the City of Middleton and SWDH and how this should be an example of how the county should run all issues on this topic thru Ms. Wendelsdorf. Clerk Yamamoto said that a child of one of his employees was exposed so that employee is at home but conversations are taking place as to when they'll return.

Ms. Wendelsdorf said she is trying to keep track of the employees on quarantine. In response to a question from Mr. Decker Ms. Zogg reviewed the differences between self-isolation which by CDS guidance would indicate that a person is sick and isolating themselves, self-quarantine which is that you are not being legally required to stay home and that you are not sick but isolating yourself because you had an exposure, and self-monitoring which kind of goes along with self-quarantine because you've had exposure you're also asked to self-monitor for symptoms of illness.

Sheriff Donahue spoke about a Misdemeanor Probation employee who was exposed at POST academy and is now hospitalized, however, they had limited exposure to other county employees. This particular employee is married to an employee in the Public Defender's

office and a memo was sent to employees in that office. Sheriff Donahue and Ms. Wendelsdorf cautioned against department administrators sending emails to employees which could contain sensitive information and to make sure correspondence is run thru Ms. Wendelsdorf, additionally she said she would be the one to make contact with Facilities about making sure a space is properly cleaned if there is concern of exposure.

Sheriff Donahue spoke about an email that went out this weekend asking all department administrators to identify all essential tasks and plan for continued provision. Ms. Wendelsdorf has requested that those plans be forwarded to her and then she will provide them to the Board for review. Mr. Laugheed spoke about how even though all the plans are being routed thru Ms. Wendelsdorf and Mr. Decker for review it will be important for the plans to come back thru the Board for final approval. They will then be sent back to Ms. Wendelsdorf and forwarded to the other elected officials as a courtesy notification.

Nikki Zogg said that there are currently 5 confirmed cases in Canyon County. Three are men who recently travelled to communities with known community spread and two women which SWDH is still investigating how they contracted the virus.

An email is being composed to Department Administrators and Elected Officials asking them to limit their employees' visits to HR when they feel they have symptoms of the virus. Instead they should be directed to their healthcare provider or the SWDH hotline. Mr. Decker and Ms. Wendelsdorf are also working on an email to update employees and hope to have something together by the end of the day.

Ms. Zogg spoke about how she has asked each county she works with to appoint one point person she can have direct contact with; for Canyon County Sheriff Donahue will be that person. She also said that SWDH has some expired PPE but it will still be beneficial and they are having discussions on the best way to distribute. Eugene Smith, who is retired from Boise PD and has expertise at responding to national events, has been brought on to help consult on some of the infrastructure and provide support going forward.

Commissioner Van Beek spoke about an email that was received from Kendra Kenyon of Ada County regarding a multi-agency coordinated effort conference call. Ms. Wendelsdorf said that Michael Stowell with the Canyon County Ambulance District is the Canyon County representative for this meeting. Sheriff Donahue said he has no intention of joining the meeting as every county is doing things just a little different and he really just wants to focus on the response by Canyon County. Mr. Decker said he believes Ada County is holding two meetings a week, one is the multi-agency coordination team and the other is a multi-agency policy briefing meeting. The multi-agency coordination (MAC) is the 'boots on the ground' and the policy briefing is the meeting the elected officials are being invited to so that they can get the information on what the MAC is doing. He indicated that some elected officials

have started interjecting into the MAC meeting which is not what they need. They are trying to get things worked out and will brief the elected officials later in the week.

Clerk Yamamoto spoke about compensation for employees during this crisis and the Families First Coronavirus Response Act (FFCRA) and how the decision may be out of the hands of county officials although he would like to see everything tracked. Mr. Laugheed said he sent to everyone the Department of Labor guidelines which is really informal, but he expects that a more comprehensive interpretation should be coming in April. The summary is pretty clear about the federal response and what the county obligation is going to be. The part that provides 80 hours of paid sick time when an employee is quarantined reads as follows: pursuant to federal, state or local government order or advice of a healthcare provider..." the local government order, the way legal has interpreted, is that each of the elected officials, with their independent authority is acting with the force of government if you ask an employee to stay home. If an elected official tells an employee to stay home because they meet the criteria laid out by SWDH he believes the employee will qualify under the FMLA for the paid leave. The Sheriff said he agrees with the Clerk and would also like to see everything tracked. The Clerk explained more saying that if someone is staying home due to the coronavirus, we may want to track that for various reasons and he will speak more with HR and legal to make sure that the tracking doesn't cause any problems. Mr. Laugheed said that his understanding of the FFCRA is that it applies to government agencies and all employers who have under 500 employees. The portion that addresses 50 employees is particularly relevant when it has to do with the FMLA that's available only if the employee has a child who is not able to go to school due to being closed in relation to coronavirus. It appears that there is exigency that they can identify an employee as critical to the business and they would be exempted from these requirements. He thinks the notation in ADP doesn't just need to say 'coronavirus' but specifically if it's personal to the employee because they are in quarantine or if it's due to them providing care to someone in their household who has the virus or related to care due to the schools being closed. He suggested these might be the points that should be started with in terms of the internal record keeping.

Prosecutor Taylor believes that is probably going back to the recommendation by auditing because ultimately, it's coming into ADP and creating a systematic approach for all the offices and departments of how that needs to be tracked. Clerk Yamamoto said that the tracking is necessary as there could be some reimbursement or programs and we're going to need documentation as to what happened. Treasurer Lloyd thought that perhaps a doctor's note should be provided if a person is needing to be out due to a having a compromised system. Mr. Laugheed said some employees can be identified without the help of a healthcare provider just based on what is known about the employee and their history. Sheriff Donahue feels it's just going to have to be evaluated on a case-by-case basis and reasonable common sense. He instructed his Chief Deputy that employees will be paid; the budget has been set and no new money is being requested to pay people and nothing about this virus is the employees fault, it's the right thing to do and no one can afford to lose all these people. Clerk

Yamamoto spoke about how this is a double edge sword and that on one had you have a private sector business that has had to close their dining room but we're taking that restaurant owner's money, property tax, and we're paying county employees to stay home when that business isn't able to do the same.

Ms. Wendelsdorf reminded everyone that if a department generates overtime to be sure keep track of that as we are still under an emergency declaration so all of that can potentially be reimbursed by the state.

The meeting concluded at 2:53 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 24, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HP, Inc. in the amount of \$1514.68 for the Information Technology department
- SHI in the amount of \$8780.10 for the Information Technology department

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 9:02 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioner Leslie Van Beek, Commissioners Pam White and Tom Dale via teleconference, Clerk Chris Yamamoto left at 9:29 a.m., Controller Zach Wagoner, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, Elections Supervisor Haley Hicks, HR Director Sue Baumgart and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a Memorandum of Understanding between the United States and the Canyon County Clerk regarding the accessibility of polling places: Mr. Porter addressed questions posed by Commissioner Van Beek via email yesterday afternoon. Clerk Yamamoto said that in Idaho both Ada and Canyon County were surveyed with 35 polling places in Canyon County being looked at but only one passing. He said the reason they've held off so long with this MOU was to get as many good ADA compliant precincts as possible. Once this MOU is signed every precinct has to be brought to the DOJ for approval. Clerk Yamamoto

noted for the record that they make accommodations for all voters regardless of what their ADA requirements are. Commissioner Dale made a motion to sign the MOU between the United States and the Canyon County Clerk regarding the accessibility of polling places. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 20-043).

Discussion ensued regarding the department head meeting scheduled for March 30th. Director Baumgart believes it would be a good idea to cancel the meeting or hold it via teleconference in order to not have all the department heads in the same room together. An email will be sent to the DAs asking for their feedback on the originally scheduled agenda items. Another meeting will be scheduled for mid to late April.

Commissioner Dale made a motion to continue the legal staff update to 1:30 today. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 9:33 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONTINUE THE PUBLIC HEARING REGARDING THE REQUEST BY KENNETH SMART FOR APPEAL OF AN ADDRESS CHANGE

Commissioner Van Beek went on the record at 10:00 a.m. to continue the public hearing regarding the request by Kenneth Smart for appeal of an address change. It was noted for the record that the hearing has been rescheduled to April 17, 2020 at 10:00 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 1:35 p.m. for the continuation of the meeting county attorneys for a legal staff update. Present were: Commissioner Leslie Van Beek, Commissioner Tom Dale via teleconference, Clerk Chris Yamamoto, Prosecutor Bryan Taylor, Treasurer Tracie Lloyd, Sheriff Kieran Donahue, Assessor Brian Stender, Emergency Operations Manager Christine Wendelsdorf, PIO Joe Decker and Deputy Clerk Jenen Ross. The following topics were discussed:

Ms. Wendelsdorf said she is still collecting plans for each department and office. Once she has reviewed them, she will forward to the Commissioners. In response to Commissioner Van Beek's question, the only Board department she's missing is the Public Defender. Ms. Wendelsdorf has been in contact with Mr. Bazzoli who is concerned that if an employee was infected the entire office would have exposure and wondered if the whole office would need to be evacuated. She explained that it would be up to him to come up with a plan as she does not know the operations of his office. Sheriff Donahue said this is something everyone has

probably been concerned about and a good example is what happened at Misdemeanor Probation. In that case they had to backtrack to see how much contact they had at the office and it was worked back from there. Sheriff Donahue said that if it is determined that an employee was infected he doesn't know that immediately evacuating the office would be the right course of action. He would probably contact SWDH for guidance and follow the guidelines of the CDC. Ms. Zogg said there really is no need for an emergency evacuation. We know how the virus works and where it can live in certain environments so it's important to know timeframes of exposures and which employees had close contact. Ms. Wendelsdorf also suggested that it's a really good idea to contact SWDH if there has been a possible exposure and they can provide the necessary guidance. Sheriff Donahue said they had a possible exposure at the jail last night but in being able to work the situation backwards they were able to determine it was probably a knee-jerk reaction but were able to follow the protocol they had in place and resolve the situation. Sheriff Donahue made the record clear that they do not have any known cases in the jail at this time.

Mr. Decker said that a couple of department heads stopped by his office to see if there was any more information available regarding the employees who tested positive that was brought to light in the email sent to employees last night. People are concerned about that person being in their building or having possible contact with that person. Mr. Decker let everyone know that if they'd had possible exposure SWDH would be in contact with them. Ms. Wendelsdorf reiterated that the persons name nor department should be disclosed. Mr. Decker said that he was on a call with Ada County earlier and Central District Health has indicated that community spread is happening and plan to make some kind of announcement later today. Ms. Zogg said that the spread is in Ada County although they are not sure of where the exposure happened. Mr. Decker's understanding is that the Boise Mayor may take more extreme measures such as a mandatory shelter in place order.

Ms. Zogg said that even if we do have some community spread it is still just minimal and that the 7 district health directors are meeting by conference call regularly. Some of the other directors have been receiving a lot of pressure to do more which creates a lot concern and challenge as you have a lot of people who want a complete lock down which could be devastating to the economy especially if we're in this for another 12-18 months. They are trying to manage the event carefully in order to mitigate the damage and work collaboratively to find the best approach with legal authority and enforcement. At the end of yesterday's meeting they recognized the amount of community concern and the need to work on their messaging. They are also contacting their hospital executives to find out their rating of how the health districts are handling this. Depending on what they learn they may need to take steps to further enforce the social distancing measures. If the hospitals feel they are doing okay they will continue with the messaging as it is. They will speak at the end of day to discuss what they learned and the way they want to move forward. Ms. Zogg said in speaking with the public health district director from Twin Falls, which includes Blaine County who does have the shelter in place order, they are finding that people are leaving that

county and going to other counties to socialize which is causing concern for the other health directors. This comes back to the enforcement piece and this may be one of the unintended consequences of trying to do something to slow the disease. She thinks this is something that needs to be considered among the cities within the county and needs to be considered when making any kind of decisions around legal authority. As of today, there are a total of 6 cases in the county. In response to Sheriff Donahue, Ms. Zogg spoke about comments that've been heard about hospitals being in charge of public health because the health districts aren't reacting the way people want them to react and they want someone else to fix or take charge of the issue. She feels that some of those comments is what is putting additional pressure on elected officials and those that want stronger restrictions are maybe louder than others. Clerk Yamamoto said if a lockdown worked, he might be if it if it were for an acceptable period of time. He spoke about the severe lockdown in China but that was different than we'll see in the US as they are a police state. How are you going to enforce a lockdown and should there even be one? He might be inclined to go there if it worked, however, he doesn't think there is an acceptable amount of times that is going to work. He thinks it needs to stop being talked about because, short of police state, where are we going to go with it. He thinks this just needs to run its course and we have to educate and get people to do what they can. Right here in the county he wants to see consistency; he has employees that are watching other offices and departments and as time goes on it is going to become more and more of an issue. He wonders how we keep our doors open as he's a hard-liner for keeping the doors open, although, it will be kept to essential items only. This meeting daily is taking time from his day that he really doesn't have. He would really like to talk about the consistency and keeping the county operating in a reasonable fashion.

Sheriff Donahue suggested limiting the meeting schedule. There are essential services that have to be provided, there are some offices that can still provide those services from home such as the PAs Office. His office is not an office that can work from home so his office will remain open. He is unsure how to deal with the employees who feel it is unfair that some offices are closed and/or working from home. Each office is different, and the determination is up to each elected official. Clerk Yamamoto said there are other areas to look at as models if this continues, which he believes it will, he feels that employees will move on from the county.

Commissioner Van Beek asked Ms. Zogg what the mortality rate of the virus is. Ms. Zogg said the best data available shows it's about 1% which is slightly higher than influenza. She believes the issue with this virus is that we don't have any herd immunity. With influenza most of us carry a certain amount of immunity from year to year. The healthcare system is not designed for this kind of surge which is the reason we need to flatten the curve. In speaking with the hospitals, they are concerned about being able to provide services and concerned for the safety of their staff which is hard when you can't find PPE. What she is hearing from the public health experts who are studying this is 12-18 months before there is a herd immunity built up; so while it would ideal if we had the ability to control this

APPROVED PURCHASE ORDER

The Board approved the following purchase order(s):

- HUB Industrial Supply in the amount of \$1022.50 for the Solid Waste department

APPROVED CLAIMS ORDER NO. 3/27/20

The Board of Commissioners approved payment of County claims in the amount of \$58,329.00 for accounts payable.

APPROVED CLAIMS ORDER NO. 2013

The Board of Commissioners approved payment of County claims in the amount of \$1,647,603.38 for a County payroll.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Note for the record: As properly noticed the Board met today at 9:07 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

Commissioner Van Beek made a motion to go into Executive Session at 9:09 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and attorney-client communication and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek, White and Dale voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioner Leslie Van Beek, Commissioners Pam White and Tom Dale participated via teleconference, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Mike Porter, EOM Christine Wendelsdorf, PIO Joe Decker and Deputy Clerk Jenen Ross. The Executive Session concluded at 10:06 a.m. with no decision being called for in open session.

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 4:08 p.m. for an elected officials' emergency meeting regarding COVID-19 in response to the extreme emergency order issued today by Governor Brad Little. Present were: Commissioner Leslie Van Beek, Commissioner Pam White (via conference call), Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Coroner Jennifer Crawford,

and Deputy Clerk Monica Reeves. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. Due to Governor Little's statewide order to shelter in place an emergency meeting was convened because the provision of essential government services could be compromised without immediate discussion. No media have requested updates. Commissioner Van Beek made a motion to amend the agenda for an emergency meeting regarding COVID-19. The motion was seconded by Commissioner White. A roll call vote was taken with Commissioners White and Van Beek voting in favor to have an emergency meeting; the motion carried unanimously. The following topics were discussed:

Sheriff Donahue and Chief Dashiell reported they have been meeting with staff about how the order will impact the office. Modifications have been made to staffing levels and other protocols; there will be modified hours for the driver's license office with specific hours on Tuesdays and Thursdays for CDL renewals as well as the sex offender renewals; they have modified administrative staff with rotating schedules; the part-time front door security personnel will be relieved by fulltime court staff and some pre-trial or civil staff in order to have door security; changes have been made to the work release program where inmates have been released on a stay on sentence; the SILD program has been suspended for 60 days; there will be a status quo on operations. They've been in contact with Ada County on contingent plans for staffing between the two jails if either runs into major issues and perhaps sharing staff members back and forth.

Commissioner Van Beek said Parks Director Nicki Schwend has reported overwhelming numbers of people at Celebration Park and is concerned for traffic and so she is seeking Board direction on whether she can close the park restrooms tonight. She also wants to know if Celebration Park will remain open. Following comments, it was decided to close the restrooms. The Sheriff said law enforcement will educate citizens and try to get groups to disband, however, if people are breaking the law, such as theft, there will be arrests. The Sheriff will meet with the chiefs of police tomorrow for further discussion.

Prosecutor Taylor needs to see the Governor's order as to what is deemed essential. Joe Decker said it would be close to what happened in Blaine County where we ensure the continued operation of government agencies for the health, safety, and welfare of the public. Sheriff Donahue said we'll need to know what authorities are doing with the national wildlife refuge at Lake Lowell because this is typically the time CCSO staff sets up docks but he is not certain they'll be doing that given the order issued by the Governor.

Commissioner Van Beek asked if the administration building can be locked for social distancing while staff continues to work. Prosecutor Taylor said perhaps it could be streamlined where people are only coming to the first floor on certain days of the week to limit foot traffic. The Treasurer has a drop box and she could lock the office and people would have the ability to call, it's not like there aren't other avenues available to make payments. Assessor Stender has a table and staff are screening people who are coming to the Assessor's Office. The property tax reduction program deadline was pushed to June 15 and those who are bringing in applications are severely at risk and we want them to stay home. He wants to shut the office to customers coming in and through the media tell people to stay home and mail their forms. Prosecutor Taylor said the order is clear, if it's deemed nonessential you are still processing so the government entity component is still working but you're changing the process. Commissioner Van Beek suggested there be a drop box

outside the building with a note and staff can collect the mail. Joe Decker said perhaps the Recorder, Assessor, and Treasurer could set up tables in the courthouse and close the administration building. Prosecutor Taylor said the administration building is not the courthouse, it does not have to stay open. Clerk Yamamoto wants some time to think about it, he then asked if there are any confirmed cases of COVID-19 in the courthouse or in the administration building. The Sheriff said there are no cases in either buildings, however, we have a situation at another location and it's a sensitive case that should be discussed in executive session. There was a rumor that the jail had a COVID-19 case but that is not true. Commissioner White said the Board's staff is capable of working from home and the Commissioners have cleared the calendar for Thursday and Friday and all of next week. Hearings will be rescheduled. She is not coming to the office because she is in the high-risk group. The Board's department administrators will be in contact about the skeleton crews that will be working in their respective offices. Commissioner Van Beek said the land use hearings have been cleared through next week but she is asking for direction on what to do with hearings that are scheduled further out and should we move everything for that 21-day period. Prosecutor Taylor said based on the Governor's emergency order the Board should postpone everything beyond that 21-day mark. Commissioner Van Beek said some cities want to retain jurisdiction on whether they hold P&Z hearings and she questioned what that would look like if cities are meeting but the County isn't. Prosecutor Taylor said we are trying our best to comply with what the Governor has ordered.

Sheriff Donahue said they will close public access to the crime lab for the time being unless there is an emergency. Some staff will be onsite. There are no changes to the patrol division, although he expects they will become busier. Prosecutor Taylor reported they are already seeing an increase in domestic violence cases.

Clerk Yamamoto said he and the Assessor and Treasurer will meet and let the Board know what they plan to do with their office operations. He said there are two other entities in the building that are under the Board and he recommended the group go into executive session for that matter only.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ATTORNEY-CLIENT COMMUNICATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

At 4:42 p.m. Commissioner Van Beek made a motion to go into Executive Session pursuant to Idaho Code 74-206(1)(d) and (i) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County's risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner White. A roll call vote was taken on the motion with Commissioners Van Beek and White voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioner Leslie Van Beek, Commissioner Pam White (via conference call), Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell, EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Coroner Jennifer Crawford, and Deputy Clerk Monica Reeves. Commissioner Tom Dale joined the session at 4:58 p.m. via conference call. The Executive Session concluded at 5:17 p.m. with no decision being called for in open session.

The next meeting of the elected officials will take place tomorrow, March 26th at 1:30 p.m. An audio recording of the open portion of this meeting is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 26, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman – out of the office
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:35 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioner Leslie Van Beek, Commissioner Pam White (via conference call), Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Nicki Zogg, SWDH Director, Eugene Smith, Incident Consultant for SWDH, Legal Secretary Jody Hedges (via conference call), and Deputy Clerk Monica Reeves. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. The items were discussed as follows:

Sheriff Donahue reported that he and SWDH have worked with the public defender and things are progressing quickly to get the information SWEDH needs to address the matter discussed yesterday in executive session.

Sheriff Donahue and Prosecutor Taylor attended a police chief meeting and reported all law enforcement agencies are doing the same thing in terms of enforcement by education and using great discretion in bringing people to jail or not bringing people to jail, using cite and release, etc. There was a rumor that law enforcement is conducting vehicle stops and checking for travel papers but that is not true, it's not happening in Canyon County. With the Governor's order yesterday the Sheriff has made the decision to close driver's license. (The DMV side is already closed. On Tuesdays and Thursdays from 9 a.m. to noon staff will be there to accommodate CDL's and sex offender registrations, which are considered essential functions. They have suspended concealed weapons issuances because it is not an essential service at this time. He received an email from the Dept. of Homeland Security that President Trump has suspended the REAL ID (Star Card) until October 2021. The action will help driver's license departments throughout the state. The parks director is requesting extra patrols at Celebration Park since they anticipate people still attempting to camp out there. The Sheriff said they will do what they can and there is a patrol car in the area to address emergency calls but he doesn't have the manpower to staff somebody at the park.

Commissioner Van Beek said the Commissioners' Office has been working with the EOM to get protocol for COVID-19 for all department administrators. There is a request by the misdemeanor probation director to close the office doors to the public and operate via teleconference with those who need those services. Prosecutor Taylor said doesn't see any reason they could not close the office to the public and do appointments only and conduct business telephonically, and perhaps the juvenile probation office should do the same thing. Commissioner White said that is fine with her.

Treasurer Lloyd said she, Assessor Stender and Clerk Yamamoto met this morning to discuss how their offices will proceed forward and they are hoping to have a decision by the end of day or first thing in the morning. Once plans are determined they will go into effect on Monday. Assessor Stender is reworking things in his office. Clerk Yamamoto said they are working with the PIO to change signage and get the message out via the website and the media. He asked if there is a known COVID-19 case in the administration building. Sheriff Donahue said late yesterday he received information from SWDH about a confirmed case in the public defender's office, but the employee has not been on site for 10 days. Director Zogg said SWDH received information from the lab yesterday afternoon and they were trying to contact the person to obtain information about symptom onset date, and exposure risk to others. Clerk Yamamoto said when we have preliminary information we need to know immediately. Sheriff Donahue said there are privacy issues involved and we have to follow the SWDH's protocol on these matters so that we don't violate the person's privacy rights. Director Zogg gave the example that SWDH puts out information to their employees about the expectation that they are not to be at work when they are sick. If they become sick or someone at their house becomes sick or tests positive for COVID-19 they are to report that to SWDH so they can protect workforce. There are protocols the County can put into place, if it hasn't already, to help protect the workforce and until you have time for SWDH to do their job, which is to get lab confirmation which sometimes its delayed especially with the way testing is working, and SWDH contacts the person which is not always easy to do. It could take a while for us to determine where a person works and who could be exposed in the workplace. If the employer can put practices into place on their end that will really help to protect coworkers in the organization. Joe Decker doesn't think that information had been confirmed or verified to the EOM when this group discussed it yesterday. Clerk Yamamoto said sooner or later we are all exposed in one way or another, but this situation created an issue with a person thinking they were getting the run around and it added to an already panicked situation. He understands protocols, but he wonders about this circumstance. Prosecutor Taylor spoke of the importance of following the guidelines and protocols and said we have to be careful of creating pandemonium off of rumors and gossip. We cannot shut down government because of coughs and sneezes.

Director Zogg reported there are 123 confirmed cases in the state; we have 14 confirmed cases in our district, 13 in Canyon County and 1 in Payette County. Canyon County has reported its first death, a 70-yr old woman. There are three other reported deaths in the state.

Treasurer Lloyd said she finds it difficult to shut down to the public, however, we need the public to do what they were told by the Governor. She will likely be closing her office to the public on certain days because we need to support what the Governor has ordered whether we feel its right or wrong but unfortunately society will not do what they are asked so this is a way for us to help them follow the order.

Brian Stender said he is thinking along the same lines as the Treasurer because his staff can do most everything via mail, fax, and email at the moment. The only thing they cannot do is manufactured home title transfers because it starts with paying taxes, so he will reserve one day a week in the morning to open to the public to do those transactions for the next three weeks. He plans to close public access to the office so they can maintain enough people to facilitate the process of getting assessment notices out the door.

Zach Wagoner said it's important to move money in a timely manner and that includes paying employees and vendors. In the past our accounts payable process has been a physical claim board with tremendous amounts of paper and so they have asked for electronic invoices and claims, which he will send electronically to the Board for approval to cut checks. They will scan claims into a PDF file so the Commissioners can each scroll through them claim by claim and when he receives two approvals they will cut checks. Commissioner White thinks that's a good idea.

At 2:02 p.m. the following local Mayors joined the meeting via conference call: Greenleaf Mayor Brad Holton; Melba Mayor Cory Dickard; Nampa Mayor Debbie Kling; Middleton Mayor Steve Rule; and Caldwell Mayor Garret Nancolas, as well as Doug Waterman, an attorney from the City of Caldwell.

Nicki Zogg reported for the Mayors that there are 14 confirmed cases in the health district; 13 in Canyon County and 1 in Payette County. Canyon County has had its first death, with a total of 4 deaths reported in the state. SWDH's call center has been open M-F from 8-5, they were open last weekend and will likely see shorter days this weekend. They have confirmed community spread in Canyon County, it's still in the minimal to moderate level, and there are at least 2 cases where they haven't been able to confirm where they were exposed to COVID-19. They have had situations occur in the last two days, one outside Canyon County where they were considering quarantining a home because of a child custody issue, and COVID-19 being confirmed in that household with other members having symptoms consistent with COVID-19. Today they considered a report for examination to try to get information out of a confirmed case, but they were able to resolve without having to take legal action so that's a good thing. There have been statewide conversations about what the Governor's order covers and there have been concerns around golf courses and parks. Mayor Kling asked for information regarding golf courses and parks. Director Zogg said the concerns around golf courses are that they are getting conflicted information so she was hoping to get confirmation from the Governor's office because they've already asked legal counsel twice and they are going back for a third time. What she is hearing is people are convening to play golf and although the restaurants are closed there is concern about gathering and whether they are violating the Governor's order because is a golf course an essential service and should it be open. She's asked the Governor's office and they said it's fine if they can clean the golf cart and do social distancing. She's asked for clarification based on input she's received from elected officials but she hasn't received that third legal opinion; however, that doesn't mean municipalities couldn't take their own actions. There are some inconsistencies with parks and playgrounds where some have closed and some remain open. Closing one park causes groups to go to another park and it creates an issue where people congregate in certain area. Mayor Kling said the Nampa parks remain open with the instruction for social distancing and they have decided to leave the restrooms open because that creates other issues with people using bushes. Director Zogg said she's heard a lot of cities are choosing

to close the public restrooms, but she doesn't have a recommendation one or the other because there is a risk either way. If she hears guidance on it she will let Mayor Kling know. Sheriff Donahue introduced Eugene Smith who is a retired captain with the Boise Police Department and is highly trained in large scale incident command. He has worked all over the nation and he will be retained on site through a personal services contract with SWDH. Joe Decker reported that he is trying to get all information from various County offices/departments and consolidated on one page. The statewide stay-at-home order is on the website along with the document from the State of Idaho that lays out the essential services. There is one banner with COVID-19 information related to the County and the statewide order. He's trying to get one comprehensive list to post on social media. He will have the information translated in Spanish.

Sheriff Donahue informed the Mayors that the driver's license office is closed; DMV has been closed to the public but they are still working and he has closed down his side of the operations based on the Governor's order but they still have critical functions to perform so they have arranged times starting next week on Tuesdays and Thursdays to do CDL's and sex offender registry at the complex. President Trump issued an order that the Real ID/Star card requirements set for October have now been postponed for one more year.

Mayor Dickard asked about having the Sheriff's presence in Melba to enforce the Governor's order with bars and restaurants, most of which are complying, but there's one establishment still serving and they posted online they are serving drinks to go. Prosecutor Taylor said it is a misdemeanor offense to not comply with the Governor's order and our preference is to enforce by education – meeting with restaurant and bar owners – and try to do this together as a community. We want to keep businesses going if we can and keep employees paid but be mindful of social distancing and shutting down the dining component and still offering takeout. It's an educational component versus a strict enforcement mechanism and that's how he will be guiding our law enforcement partners. Mayor Dickard asked a police officer could educate the businesses. Sheriff Donahue said they will send someone out there to take care of it today. There may be occasions with people taking a hard stance to not go along with the order so that may take more stringent conversation but are hoping to use the example by educating people. They will still respond to emergency calls or situations that need immediate police presence.

Mayor Rule had a question pertaining to the paying the salaries of the part-time employees at Middleton Library now that it's closed. Prosecutor Taylor suggested he consult with the city's legal counsel about that question. He also suggested Mayor Rule review the *Families First Coronavirus Response Act* that was promulgated by Congress which expands the FMLA processes and procedures. The ultimate goal is if you can keep them employed that's going to be the preference, there are a lot of protections for employees. Mayor Nancolas offered to have Caldwell's HR director provide the layman's versions of that act to Mayor Rule and his clerk.

Clerk Yamamoto said most of what the Clerk's organization does is essential therefore his offices are for the most part open although they have curtailed some services. Many people are coming to the Recorder's Office for marriage licenses.

Assessor Stender said his office is a bit behind in getting the preliminary new construction numbers to city staff but they are working to provide that data. The office is currently open and they have a table to screen people. PTR and homeowner exemption forms can be obtained online; PTR applications have also been mailed out. Forms can be printed and

mailed/faxed to the office. The Assessor's Office will be looking at closing the office for most of the time.

Treasurer Lloyd said they will continue to collect property tax and will limit their public interaction. Payments can be made online or through the mail. Staff will be available Monday through Friday from 8-5, but they will limit public exposure to certain hours but it's not been determined yet. Taxing districts will still get their monthly checks.

Commissioner Van Beek reported the Board has cleared its land use hearing schedule and the P&Z Commission has also rescheduled their hearings as well. Because we were unable to navigate around social distancing and limiting the potential number of people who could attend those hearing (in some cases 60-70 people have attended) under the guidance of legal counsel they decided to reschedule the hearings for late April and May.

Director Zogg and Eugene Smith left at 2:30 p.m. to attend another meeting.

Sheriff Donahue said last Friday the ADJ Southworth issued an administrative order which helped alleviate pressure at the jail. The SILD program has been suspended for a minimum of 60 days to limit foot traffic from outside sources coming into the facility. He has also suspended the work release program for 60 days because of the heavy traffic in/out of the facility. They will clean that unit and move male inmates from the 1948 jail and into that particular pod, and move females from the 1948 jail to the unit just because our numbers are lower. Mayor Nancolas helped push through the temporary occupancy permit for Pod 6 and we have made the decision to hold that facility in reserve for isolation, if needed. He's had his commanders stand up protocols with medical providers and others and although it may not be ideal, they are as prepared as they can be right now with SWDH and notification to hospitals that if something happens in the jail that will be a large lift and they are ready to face it.

Commissioner Van Beek said she was contacted by realtors, developers, and builders with concern that DSD has shut down. DSD is operational and they are still issuing permits. Construction was deemed essential and it's important that it move forward.

Prosecutor Taylor said there are rumors that get spread and if the mayors have any questions they should email the County's elected officials to inquire. He heard a rumor that travel permits were being issued but he has no idea where that came from.

EOM Christine Wendelsdorf said she had been in contact with SWDH regarding PPE and they have some masks available so she will make arrangements to have that picked up. She's been working with fire and EMS agencies to get it distributed through Canyon County Paramedics in order to keep track of what we are getting in and giving out and how fast we are going through it. She has been going through the department protocols and been in regular contact with the state and they are letting her know about placing orders for PPE and how we can get more supplies we need.

Prosecutor Taylor gave an overview of the Supreme Court order for the court system and how it's operating. On March 23rd Supreme Court amended its previous order of March 16 and the basic synopsis is that all court proceedings that are not deemed essential are shut down. The public is limited of who can come into courthouses, criminal defendants should be the only other person in the courtroom, courts are allowing more telephonic hearings and all jury trials have been suspended until April 30. The only type of court proceedings requiring law enforcement officers to be present are in-custody preliminary hearings, those who are still in the jail that have a preliminary hearing. Sheriff Donahue said the Sheriff's

Office is working closely with the PA and the Courts, specifically the ADJ every day. They are able to limit some transports to the courtroom by utilizing telephone and video capabilities. Mayor Kling advised that the Association of Idaho Cities has a call into governor for a call at 2:45 p.m. The Mayors ended their call at 2:42 p.m., and which time the County's elected officials' meeting resumed.

Treasurer Lloyd asked if employees will be able to accumulate sick and vacation hours if they are not working. Prosecutor Taylor said if someone is too scared to come to work that might be a different question, but when an office sends an employee home, he doesn't see any way around the accrual. The federal act is an expanded class of FMLA so if you're solely sending someone home this doesn't apply. If they are being impacted by COVID-19 it would equate to the common FMLA and employees are still protected. Now that there has been community spread, Treasurer Lloyd asked if she is obligated to send employees home if they are high risk or have a compromised immune system. Prosecutor Taylor said she is not necessarily obligated but it's a best practice to do so for the health and wellbeing of the employees. The state order doesn't dictate how we are to manage and deal with employment issues. Zach Wagoner asked if an employee has a balance of sick hours couldn't they use those sick hours to ensure a full compensation? Prosecutor Taylor there could be equality issues associated with that, for example, if Employee "A" has 6 weeks of sick hours and Employee "B" has zero hours, and both are sent home, and Employee "A" has to burn through their sick hours, but Employee "B" doesn't and yet they both get paid. He said for now we should input COVID-19 as the reason and we'll figure it out as we go; there are a lot of what-ifs and we are still trying to process it. The Clerk had questions about an employee who stays homes and keeps their sick time while still accumulating sick hours. Prosecutor Taylor believes that is how the federal act is being contemplated. If you are putting them on FMLA because of COVID-19 you have that ability, you are quarantining them by staying home then implement the FMLA process, the same FMLA rules and regulations would apply. Then you're burning through sick time and everything else to that effect if you want. Clerk Yamamoto asked if there is a distinction between quarantine and a layoff, in that given what's going on in certain sectors we don't need the help because there's nothing to do. Prosecutor Taylor said laying off is a completely different aspect. If you're going to start laying off personnel and giving up positions that's a whole other ball game. The Clerk clarified that he is not looking to layoff employees, he's just asking the question in case there isn't enough work to do right now and employees may be told to go home. Prosecutor Taylor said if you want them to go home and not accrue sick time or vacation time and perks/benefits are taken away because we don't need them right now, his immediate instinct is that's not a good practice, versus telling someone we no longer need their services. The Prosecutor's Office needs more time to look into it; there is no legal support at this time other than the review of the proposed act. Joe Decker said the state put something out where if an employee is sent home they will be given 80 hours but once they come back to work rather than accruing hours it will go back to compensate the sick hours that were given to them. Prosecutor Taylor will have more information to provide on this topic at the next EO's meeting. Sheriff Donahue is concerned if employees feel we are not treating them the best we possibly can in terms of protecting them from a financial standpoint then we will see losses in terms of employees. Clerk Yamamoto said he doesn't disagree, but there are businesses that have had to close so what makes us more special than them? We have to be careful in how we proceed and he doesn't want to hear any complaints from anybody. County employees are going to be taken care of

and getting a paycheck while some who are paying taxes are going to lose everything. Sheriff Donahue said we have a world pandemic and you continue to turn that coin over - it's a tough situation but we have to maintain essential services and he too feels badly about people losing jobs.

Prosecutor Taylor said this time is forcing people to reflect on what is crucial and what is not crucial, and for the upcoming budget process his advocacy is we freeze employee salaries, likely cutting positions, but at the same time the employees are counting on their elected officials to protect them just like any other business would do. He's hoping to get through 21 days before we make draconian decisions. Clerk Yamamoto again stated he has no intention of laying off employees, he is just trying to figure out how to send people home versus a quarantine. There is a significant difference between the two. Regarding the comments to freeze salaries, Sheriff Donahue said it depends on what other agencies do because they are competing for the same manpower and we cannot afford to lose what we have. Joe Decker said some Boise restaurants requested the mayor order them to be shut down due to the civic action in unemployment where they automatically qualify for unemployment and collect their check until that civic action is lifted and they resume their jobs as opposed to having to prove they applied for two jobs a week and all the cumbersome paperwork. He asked if something like that would cover County employees if it came to that? Prosecutor Taylor said doesn't want to jump into making draconian decisions - we have to slow down and have time to process the information. Zach Wagoner said that's a significant reason behind the \$2.2 trillion stimulus package, the government has put restrictions on private business to help ease that burden. Joe Decker said with the loans to small businesses the federal government will pay those loans back IF the businesses retain 80% or 90% of their employees. Prosecutor Taylor said which then goes back to why we are taking a very liberal approach on this order; we want the businesses to survive and stay open.

There was discussion between Zach Wagoner and Commissioners Van Beek and White regarding the scheduling of indigent decisions. It was decided the matters will be scheduled for Board review on Monday, March 30th at 1:00 p.m. Treasurer Lloyd asked if the Commissioner's Office has been shut down, and whether it's considered an essential service. Commissioner White said the Board has cleared the calendar and rescheduled some public hearings to later in April and May. On Monday the Board will consider a final plat because it's been determined there will very few people in attendance at the meeting and with construction being an essential service the Board wanted to keep it moving. It's more problematic for the land use public hearings because there is no way to limit potential large numbers of people attending those hearings at this current point in time. In response to Treasurer Lloyd's question, Prosecutor Taylor said the Governor's proclamation changes the whole dynamics of boards of county commissioners. They can do almost all of their work away from the County because the open meeting laws have been lifted for them to conduct business. Most of their functions would not fall in to the essential category of the proclamation other than running and maintaining all of the essential functions of the departments. This is a crucial time for the Board to be engaged with its departments. The next meeting of the elected officials will be Tuesday and Thursday of next week at 1:30 p.m. Assessor Stender made a motion to adjourn the meeting. The motion was seconded by Sheriff Donahue. The meeting concluded at 3:12 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 27, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

No meetings were held this day.

APPROVED CLAIMS ORDER NO. 3/27/20

The Board of Commissioners approved payment of County claims in the amount of \$3,204,559.79 for accounts payable.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 30, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

APPROVED CLAIMS ORDER NO. 3/31/20

The Board of Commissioners approved payment of County claims in the amount of \$42,407.28 for accounts payable.

CONSIDER FINAL PLAT FOR TAPESTRY SUBDIVISION

The Board met today at 1:04 p.m. to consider the final plat for Tapestry Subdivision. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White, via conference call, DSD Director Tricia Nilsson, Jay Walker, and Deputy Clerk Monica Reeves. Director Nilsson reported that the Board approved the preliminary plat on October 3, 2018; it has been reviewed by the county surveyor and they have approved the construction drawings and found all requirements have been met. The Mylar has been approved by SWDH as well as Canyon Highway District No. 4. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the final plat for Tapestry Subdivision, Case No. SD2019-0047. Mr. Walker will obtain the signature of the County Treasurer. The meeting concluded at 1:07 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER INDIGENT DECISIONS AND INDIGENT MATTERS

The Board met today at 1:07 p.m. to consider indigent decisions and indigent matters. Present were: Commissioners Tom Dale and Leslie Van Beek, Commissioner Pam White, via conference call, Indigent Services Director Yvonne Baker, Indigent Hearing Specialist Kellie George, and Deputy Clerk Monica Reeves. Director Baker presented liens and releases of lien for signature which were signed by the Board. Per the Clerk's statement of findings regarding the initial decisions from March 26, 2020 and April 2, 2020, the following cases do not meet the eligibility criteria for County assistance: Case Nos. 2020-627, 2020-453, 2020-616, 2020-586, 2020-524, 2020-424, 2020-515, 2020-612, 2020-391, 2020-533, 2020-525, 2020-535, 2020-537, 2020-534, 2020-532, 2020-538, 2020-540, 2020-513 and 2020-539. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue denials with a written decision in 30 days on the cases read into the record. According to Ms. Baker, Case No. 2020-451 does meet the eligibility criteria. Upon the motion of Commissioner White and the second by Commissioner Van Beek, the Board voted unanimously to approve that case with a written decision in 30 days. Kellie George reported that the following cases were withdrawn by the appealing hospital and staff is asking the Board to issue final denials in the next 30 days on Case Nos. 2020-87, 2019-1303, and 2020-264. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue final denial on the three cases as per the Clerk's findings with a written decision in 30 days. Ms. George asked the Board to continue the following cases to April 23, 2020: Case Nos. 2020-259, 2020-283, 2020-131, and 2020-159. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue continuances on the four cases as per the Clerk's findings and recommendation. Ms. George asked the Board to continue the following cases to May 21, 2020: Case Nos. 2020-285, 2020-246, 2020-262 and 2020-195. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue continuances for the four cases to May 21, 2020 as presented. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue Case No. 2020-610 to April 23, 2020. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the following cases to May 7, 2020: Case Nos. 2020-241, 2020-118, 2020-310, 2020-301, 2020-302, 2020-284, and 2020-306. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the following cases to June 11: Case Nos. 2020-294, 2020-233, 2020-263, 2020-281, 2020-154, and 2020-9. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to issue final approvals in the next 30 days for Case Nos. 2020-247, 2020-360 and 2019-1321. The meeting concluded at 1:13 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2020 TERM

CALDWELL, IDAHO MARCH 31, 2020

PRESENT: Commissioner Pam White, Chair
Commissioner Tom Dale, Vice Chairman
Commissioner Leslie Van Beek
Deputy Clerk Monica Reeves / Jenen Ross

ELECTED OFFICIALS' EMERGENCY MEETING REGARDING COVID-19

The Board met today at 1:35 p.m. for an elected officials' emergency meeting regarding COVID-19. Present were: Commissioner Leslie Van Beek, Commissioner Pam White (via conference call), Sheriff Kieran Donahue, Chief Deputy Sheriff Marv Dashiell EOM Christine Wendelsdorf, PIO Joe Decker, Prosecutor Bryan Taylor, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Treasurer Tracie Lloyd, Nicki Zogg, SWDH Director, Eugene Smith, Incident Consultant for SWDH, Legal Secretary Jody Hedges (via conference call), and Deputy Clerk Monica Reeves. The meeting took place in the public meeting room of the administration building and was chaired by Sheriff Kieran Donahue. The items were discussed as follows:

Sheriff Donahue reported that he and SWDH have worked with the public defender and things are progressing quickly to get the information SWDH needs to address the matter discussed yesterday in executive session.

Sheriff Donahue and Prosecutor Taylor attended a police chief meeting and reported all law enforcement agencies are doing the same thing in terms of enforcement by education and using great discretion in bringing people to jail or not bringing people to jail, using cite and release, etc. There was a rumor that law enforcement is conducting vehicle stops and checking for travel papers but that is not true, it's not happening in Canyon County.

With the Governor's order yesterday the Sheriff has made the decision to close driver's license. The DMV side is already closed. On Tuesdays and Thursdays from 9 a.m. to noon staff will be there to accommodate CDL's and sex offender registrations, which are considered essential functions. They have suspended concealed weapons issuances because it is not an essential service at this time. He received an email from the Dept. of Homeland Security that President Trump has suspended the REAL ID (Star Card) until October 2021. The action will help driver's license departments throughout the state. The parks director is requesting extra patrols at Celebration Park since they anticipate people still attempting to camp out there. The Sheriff said they will do what they can and there is a patrol car in the area to address emergency calls but he doesn't have the manpower to staff somebody at the park.

Commissioner Van Beek said the Commissioners' Office has been working with the EOM to get protocol for COVID-19 for all department administrators. There is a request by the misdemeanor probation director to close the office doors to the public and operate via teleconference with those who need those services. Prosecutor Taylor said he doesn't see any reason they could not close the office to the public and do appointments only and

conduct business telephonically, and perhaps the juvenile probation office should do the same thing. Commissioner White said that is fine with her.

Treasurer Lloyd said she, Assessor Stender and Clerk Yamamoto met this morning to discuss how their offices will proceed forward and they are hoping to have a decision by the end of day or first thing in the morning. Once plans are determined they will go into effect on Monday. Assessor Stender is reworking things in his office. Clerk Yamamoto said they are working with the PIO to change signage and get the message out via the website and the media. He asked if there is a known COVID-19 case in the administration building. Sheriff Donahue said late yesterday he received information from SWDH about a confirmed case in the public defender's office, but the employee has not been on site for 10 days. Director Zogg said SWDH received information from the lab yesterday afternoon and they were trying to contact the person to obtain information about symptom onset date, and exposure risk to others. Clerk Yamamoto said when we have preliminary information we need to know immediately. Sheriff Donahue said there are privacy issues involved and we have to follow the SWDH's protocol on these matters so that we don't violate the person's privacy rights. Director Zogg gave the example that SWDH puts out information to their employees about the expectation that they are not to be at work when they are sick. If they become sick or someone at their house becomes sick or tests positive for COVID-19 they are to report that to SWDH so they can protect the workforce. There are protocols the County can put into place, if it hasn't already, to help protect the workforce and until you have time for SWDH to do their job, which is to get lab confirmation which sometimes it's delayed especially with the way testing is working, and SWDH contacts the person which is not always easy to do. It could take a while for us to determine where a person works and who could be exposed in the workplace. If the employer can put practices into place on their end that will really help to protect coworkers in the organization. Joe Decker doesn't think that information had been confirmed or verified to the EOM when this group discussed it yesterday. Clerk Yamamoto said sooner or later we are all exposed in one way or another, but this situation created an issue with a person thinking they were getting the run around and it added to an already panicked situation. He understands protocols, but he wonders about this circumstance. Prosecutor Taylor spoke of the importance of following the guidelines and protocols and said we have to be careful of creating pandemonium off of rumors and gossip. We cannot shut down government because of coughs and sneezes.

Director Zogg reported there are 123 confirmed cases in the state; we have 14 confirmed cases in our district, 13 in Canyon County and 1 in Payette County. Canyon County has reported its first death, a 70-yr old woman. There are three other reported deaths in the state.

Treasurer Lloyd said she finds it difficult to shut down to the public, however, we need the public to do what they were told by the Governor. She will likely be closing her office to the public on certain days because we need to support what the Governor has ordered whether we feel its right or wrong but unfortunately society will not do what they are asked so this is a way for us to help them follow the order.

Brian Stender said he is thinking along the same lines as the Treasurer because his staff can do most everything via mail, fax, and email at the moment. The only thing they cannot do is manufactured home title transfers because it starts with paying taxes, so he will reserve one day a week in the morning to open to the public to do those transactions for the next three

weeks. He plans to close public access to the office so they can maintain enough people to facilitate the process of getting assessment notices out the door.

Zach Wagoner said it's important to move money in a timely manner and that includes paying employees and vendors. In the past our accounts payable process has been a physical claim board with tremendous amounts of paper and so they have asked for electronic invoices and claims, which he will send electronically to the Board for approval to cut checks. They will scan claims into a PDF file so the Commissioners can each scroll through them claim by claim and when he receives two approvals they will cut checks. Commissioner White thinks that's a good idea.

At 2:02 p.m. the following local Mayors joined the meeting via conference call: Greenleaf Mayor Brad Holton; Melba Mayor Cory Dickard; Nampa Mayor Debbie Kling; Middleton Mayor Steve Rule; and Caldwell Mayor Garret Nancolas, as well as Doug Waterman, an attorney from the City of Caldwell.

Nicki Zogg reported for the Mayors that there are 14 confirmed cases in the health district; 13 in Canyon County and 1 in Payette County. Canyon County has had its first death, with a total of 4 deaths reported in the state. SWDH's call center has been open M-F from 8-5, they were open last weekend and will likely see shorter days this weekend. They have confirmed community spread in Canyon County, it's still in the minimal to moderate level, and there are at least 2 cases where they haven't been able to confirm where they were exposed to COVID-19. They have had situations occur in the last two days, one outside Canyon County where they were considering quarantining a home because of a child custody issue, and COVID-19 being confirmed in that household with other members having symptoms consistent with COVID-19. Today they considered a report for examination to try to get information out of a confirmed case, but they were able to resolve without having to take legal action so that's a good thing. There have been statewide conversations about what the Governor's order covers and there have been concerns around golf courses and parks. Mayor Kling asked for information regarding golf courses and parks. Director Zogg said the concerns around golf courses are that they are getting conflicted information so she was hoping to get confirmation from the Governor's office because they've already asked legal counsel twice and they are going back for a third time. What she is hearing is people are convening to play golf and although the restaurants are closed there is concern about gathering and whether they are violating the Governor's order because is a golf course an essential service and should it be open. She's asked the Governor's office and they said it's fine if they can clean the golf cart and do social distancing. She's asked for clarification based on input she's received from elected officials but she hasn't received that third legal opinion; however, that doesn't mean municipalities couldn't take their own actions. There are some inconsistencies with parks and playgrounds where some have closed and some remain open. Closing one park causes groups to go to another park and it creates an issue where people congregate in a certain area. Mayor Kling said the Nampa parks remain open with the instruction for social distancing and they have decided to leave the restrooms open because that creates other issues with people using bushes. Director Zogg said she's heard a lot of cities are choosing to close the public restrooms, but she doesn't have a recommendation one or the other because there is a risk either way. If she hears guidance on it she will let Mayor Kling know. Sheriff Donahue introduced Eugene Smith who is a retired captain with the Boise Police Department and is highly trained in large scale incident command. He has worked all over the nation and he will be retained on site through a personal services contract with SWDH.

Joe Decker reported that he is trying to get all information from various County offices/departments and consolidated on one page. The statewide stay-at-home order is on the website along with the document from the State of Idaho that lays out the essential services. There is one banner with COVID-19 information related to the County and the statewide order. He's trying to get one comprehensive list to post on social media. He will have the information translated in Spanish.

Sheriff Donahue informed the Mayors that the driver's license office is closed; DMV has been closed to the public but they are still working and he has closed down his side of the operations based on the Governor's order but they still have critical functions to perform so they have arranged times starting next week on Tuesdays and Thursdays to do CDL's and sex offender registry at the complex. President Trump issued an order that the Real ID/Star card requirements set for October have now been postponed for one more year.

Mayor Dickard asked about having the Sheriff's presence in Melba to enforce the Governor's order with bars and restaurants, most of which are complying, but there's one establishment still serving and they posted online they are serving drinks to go. Prosecutor Taylor said it is a misdemeanor offense to not comply with the Governor's order and our preference is to enforce by education – meeting with restaurant and bar owners – and try to do this together as a community. We want to keep businesses going if we can and keep employees paid but be mindful of social distancing and shutting down the dining component and still offering takeout. It's an educational component versus a strict enforcement mechanism and that's how he will be guiding our law enforcement partners. Mayor Dickard asked if a police officer could educate the businesses. Sheriff Donahue said they will send someone out there to take care of it today. There may be occasions with people taking a hard stance to not go along with the order so that may take more stringent conversation but are hoping to use the example by educating people. They will still respond to emergency calls or situations that need immediate police presence.

Mayor Rule had a question pertaining to the paying the salaries of the part-time employees at Middleton Library now that it's closed. Prosecutor Taylor suggested he consult with the city's legal counsel about that question. He also suggested Mayor Rule review the *Families First Coronavirus Response Act* that was promulgated by Congress which expands the FMLA processes and procedures. The ultimate goal is if you can keep them employed that's going to be the preference, there are a lot of protections for employees. Mayor Nancolas offered to have Caldwell's HR director provide the layman's versions of that act to Mayor Rule and his clerk.

Clerk Yamamoto said most of what the Clerk's organization does is essential therefore his offices are for the most part open although they have curtailed some services. Many people are coming to the Recorder's Office for marriage licenses.

Assessor Stender said his office is a bit behind in getting the preliminary new construction numbers to city staff but they are working to provide that data. The office is currently open and they have a table to screen people. PTR and homeowner exemption forms can be obtained online; PTR applications have also been mailed out. Forms can be printed and mailed/faxed to the office. The Assessor's Office will be looking at closing the office for most of the time.

Treasurer Lloyd said they will continue to collect property tax and will limit their public interaction. Payments can be made online or through the mail. Staff will be available Monday

through Friday from 8-5, but they will limit public exposure to certain hours but it's not been determined yet. Taxing districts will still get their monthly checks.

Commissioner Van Beek reported the Board has cleared its land use hearing schedule and the P&Z Commission has also rescheduled their hearings as well. Because we were unable to navigate around social distancing and limiting the potential number of people who could attend those hearings (in some cases 60-70 people have attended) under the guidance of legal counsel they decided to reschedule the hearings for late April and May.

Director Zogg and Eugene Smith left at 2:30 p.m. to attend another meeting.

Sheriff Donahue said last Friday ADJ Southworth issued an administrative order which helped alleviate pressure at the jail. The SILD program has been suspended for a minimum of 60 days to limit foot traffic from outside sources coming into the facility. He has also suspended the work release program for 60 days because of the heavy traffic in/out of the facility. They will clean that unit and move male inmates from the 1948 jail and into that particular pod, and move females from the 1948 jail to the unit just because our numbers are lower. Mayor Nancolas helped push through the temporary occupancy permit for Pod 6 and we have made the decision to hold that facility in reserve for isolation, if needed. He's had his commanders stand up protocols with medical providers and others and although it may not be ideal, they are as prepared as they can be right now with SWDH and notification to hospitals that if something happens in the jail that will be a large lift and they are ready to face it.

Commissioner Van Beek said she was contacted by realtors, developers, and builders with concern that DSD has shut down. DSD is operational and they are still issuing permits. Construction was deemed essential and it's important that it move forward.

Prosecutor Taylor said there are rumors that get spread and if the mayors have any questions they should email the County's elected officials to inquire. He heard a rumor that travel permits were being issued but he has no idea where that came from.

EOM Christine Wendelsdorf said she had been in contact with SWDH regarding PPE and they have some masks available so she will make arrangements to have that picked up. She's been working with fire and EMS agencies to get it distributed through Canyon County Paramedics in order to keep track of what we are getting in and giving out and how fast we are going through it. She has been going through the department protocols and been in regular contact with the state and they are letting her know about placing orders for PPE and how we can get more supplies we need.

Prosecutor Taylor gave an overview of the Supreme Court order for the court system and how it's operating. On March 23rd the Supreme Court amended its previous order of March 16 and the basic synopsis is that all court proceedings that are not deemed essential are shut down. The public is limited of who can come into courthouses, criminal defendants should be the only other person in the courtroom, courts are allowing more telephonic hearings and all jury trials have been suspended until April 30. The only type of court proceedings requiring law enforcement officers to be present are in-custody preliminary hearings, those who are still in the jail that have a preliminary hearing. Sheriff Donahue said the Sheriff's Office is working closely with the PA and the Courts, specifically the ADJ every day. They are able to limit some transports to the courtroom by utilizing telephone and video capabilities. Mayor Kling advised that the Association of Idaho Cities has a call into the governor for a call at 2:45 p.m. The Mayors ended their call at 2:42 p.m., at which time the County's elected officials' meeting resumed.

Treasurer Lloyd asked if employees will be able to accumulate sick and vacation hours if they are not working. Prosecutor Taylor said if someone is too scared to come to work that might be a different question, but when an office sends an employee home, he doesn't see any way around the accrual. The federal act is an expanded class of FMLA so if you're solely sending someone home this doesn't apply. If they are being impacted by COVID-19 it would equate to the common FMLA and employees are still protected. Now that there has been community spread, Treasurer Lloyd asked if she is obligated to send employees home if they are high risk or have a compromised immune system. Prosecutor Taylor said she is not necessarily obligated but it's a best practice to do so for the health and wellbeing of the employees. The state order doesn't dictate how we are to manage and deal with employment issues. Zach Wagoner asked if an employee has a balance of sick hours couldn't they use those sick hours to ensure a full compensation? Prosecutor Taylor there could be equality issues associated with that, for example, if Employee "A" has 6 weeks of sick hours and Employee "B" has zero hours, and both are sent home, and Employee "A" has to burn through their sick hours, but Employee "B" doesn't and yet they both get paid. He said for now we should input COVID-19 as the reason and we'll figure it out as we go; there are a lot of what-ifs and we are still trying to process it. The Clerk had questions about an employee who stays homes and keeps their sick time while still accumulating sick hours. Prosecutor Taylor believes that is how the federal act is being contemplated. If you are putting them on FMLA because of COVID-19 you have that ability, you are quarantining them by staying home then implement the FMLA process, the same FMLA rules and regulations would apply. Then you're burning through sick time and everything else to that effect if you want. Clerk Yamamoto asked if there is a distinction between quarantine and a layoff, in that given what's going on in certain sectors we don't need the help because there's nothing to do. Prosecutor Taylor said laying off is a completely different aspect. If you're going to start laying off personnel and giving up positions that's a whole other ball game. The Clerk clarified that he is not looking to layoff employees, he's just asking the question in case there isn't enough work to do right now and employees may be told to go home. Prosecutor Taylor said if you want them to go home and not accrue sick time or vacation time and perks/benefits are taken away because we don't need them right now, his immediate instinct is that's not a good practice, versus telling someone we no longer need their services. The Prosecutor's Office needs more time to look into it; there is no legal support at this time other than the review of the proposed act. Joe Decker said the state put something out where if an employee is sent home they will be given 80 hours but once they come back to work rather than accruing hours it will go back to compensate the sick hours that were given to them. Prosecutor Taylor will have more information to provide on this topic at the next EO's meeting. Sheriff Donahue is concerned if employees feel we are not treating them the best we possibly can in terms of protecting them from a financial standpoint then we will see losses in terms of employees. Clerk Yamamoto said he doesn't disagree, but there are businesses that have had to close so what makes us more special than them? We have to be careful in how we proceed and he doesn't want to hear any complaints from anybody. County employees are going to be taken care of and getting a paycheck while some who are paying taxes are going to lose everything. Sheriff Donahue said we have a world pandemic and you continue to turn that coin over - it's a tough situation but we have to maintain essential services and he too feels badly about people losing jobs.

Prosecutor Taylor said this time is forcing people to reflect on what is crucial and what is not crucial, and for the upcoming budget process his advocacy is we freeze employee salaries, likely cutting positions, but at the same time the employees are counting on their elected officials to protect them just like any other business would do. He's hoping to get through 21 days before we make draconian decisions. Clerk Yamamoto again stated he has no intention of laying off employees, he is just trying to figure out how to send people home versus a quarantine. There is a significant difference between the two. Regarding the comments to freeze salaries, Sheriff Donahue said it depends on what other agencies do because they are competing for the same manpower and we cannot afford to lose what we have. Joe Decker said some Boise restaurants requested the mayor order them to be shut down due to the civic action in unemployment where they automatically qualify for unemployment and collect their check until that civic action is lifted and they resume their jobs as opposed to having to prove they applied for two jobs a week and all the cumbersome paperwork. He asked if something like that would cover County employees if it came to that? Prosecutor Taylor said he doesn't want to jump into making draconian decisions – we have to slow down and have time to process the information. Zach Wagoner said that's a significant reason behind the \$2.2 trillion stimulus package, the government has put restrictions on private business to help ease that burden. Joe Decker said with the loans to small businesses the federal government will pay those loans back IF the businesses retain 80% or 90% of their employees. Prosecutor Taylor said which then goes back to why we are taking a very liberal approach on this order; we want the businesses to survive and stay open.

There was discussion between Zach Wagoner and Commissioners Van Beek and White regarding the scheduling of indigent decisions. It was decided the matters will be scheduled for Board review on Monday, March 30th at 1:00 p.m. Treasurer Lloyd asked if the Commissioners' Office has been shut down, and whether it's considered an essential service. Commissioner White said the Board has cleared the calendar and rescheduled some public hearings to later in April and May. On Monday the Board will consider a final plat because it's been determined there will be very few people in attendance at the meeting and with construction being an essential service the Board wanted to keep it moving. It's more problematic for the land use public hearings because there is no way to limit potential large numbers of people attending those hearings at this current point in time. In response to Treasurer Lloyd's question, Prosecutor Taylor said the Governor's proclamation changes the whole dynamics of boards of county commissioners. They can do almost all of their work away from the County because the open meeting laws have been lifted for them to conduct business. Most of their functions would not fall in to the essential category of the proclamation other than running and maintaining all of the essential functions of the departments. This is a crucial time for the Board to be engaged with its departments. The next meeting of the elected officials will be Tuesday and Thursday of next week at 1:30 p.m. Assessor Stender made a motion to adjourn the meeting. The motion was seconded by Sheriff Donahue. The meeting concluded at 3:12 p.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF MARCH 2020 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 25th day of June, 2020

CANYON COUNTY BOARD OF COMMISSIONERS
Commissioner Tom Dale
Commissioner Pam White
Commissioner Leslie Van Beek

ATTEST: Chris Yamamoto, Clerk
By: J. Ross, Deputy Clerk